Approved: September 25, 2002.

Amy L. Comstock,
Director, Office of Government Ethics.

For the reasons set forth in the preamble, the Office of Government Ethics is amending 5 CFR parts 2634 and 2635 as follows:

PART 2634—EXECUTIVE BRANCH
FINANCIAL DISCLOSURE, QUALIFIED
TRUSTS, AND CERTIFICATES OF
DIVESTITURE

1. The authority citation for part 2634 continues to read as follows:


2. Section 2634.304 is amended by:

a. Removing the dollar amount "$260" in paragraphs (a) and (b) and in example 1 following paragraph (d) and adding in its place in each instance the dollar amount "$285";

b. Removing the dollar amount "$104" in paragraph (d) and in examples 1 and 2 following paragraph (d) and adding in its place in each instance the dollar amount "$114";

c. Removing the dollar amount "$105" in example 1 following paragraph (d) and adding in its place in each instance the dollar amount "$145";

d. Removing the word “exception” and the regulatory citation ¶ § 2634.105(h)(4) in paragraphs (a) and (b) and adding in their place in each instance, respectively, the word “exclusion” and the regulatory citation ¶ § 2634.105(h)(4); and

e. Removing the dollar amount "$260" in examples 3 and 4 following paragraph (d) and adding in its place the dollar amount "$285".

PART 2635—STANDARDS OF ETHICAL CONDUCT FOR EMPLOYEES OF THE EXECUTIVE BRANCH

3. The authority citation for part 2635 continues to read as follows:


4. Section 2635.204 is amended by:

a. Removing the dollar amount "$260" in paragraph (g)(2) and in examples 1 and 2 (in the latter of which it appears twice) following paragraph (g)(6) and adding in its place in each instance the dollar amount "$285"; and

b. Removing the dollar amount "$320" in example 2 following paragraph (g)(6) and adding in its place the dollar amount "$370".

[FR Doc. 02–24961 Filed 10–1–02; 8:45 am]

BILLING CODE 6345–01–P

DEPARTMENT OF AGRICULTURE
Agricultural Marketing Service

7 CFR Part 1260

[No. LS–99–20]

Amendment to the Beef Promotion and Research Rules and Regulations

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This final rule amends the Beef Promotion and Research Rules and Regulations (Rules and Regulations) established under the Beef Promotion and Research Act of 1985 (Act) by providing producers the opportunity to voluntarily pay the $1-per-head assessment to the Qualified State Beef Council (QSBIC) located in the producer’s State of residence prior to sale, subject to certain conditions. In addition, the chart which establishes the party responsible for collecting and remitting assessments in brand inspected States to the QSBIC or the Cattlemen’s Beef Promotion and Research Board (Board) is updated to reflect the changes the cattle industry has incurred since the inception of the program.

EFFECTIVE DATE: October 1, 2002.

FOR FURTHER INFORMATION CONTACT: Kenneth R. Payne, Chief; Marketing Programs Branch, Room 2638–S; Livestock and Seed Program; Agricultural Marketing Service (AMS), USDA; STOP 0251; 1400 Independence Avenue, SW.; Washington, DC 20250–0251; telephone 202/720–1115.


Executive Order 12866

The Office of Management and Budget (OMB) has waived the review process required by Executive Order 12866 for this action.
Executive Order 12988

This final rule has been reviewed under Executive Order 12988, Civil Justice Reform. This rule is not intended to have a retroactive effect. Section 11 of the Act provides that nothing in the Act may be construed to preempt or supersede any other program relating to beef promotion organized and operated under the laws of the United States or any State. There are no administrative proceedings that must be exhausted prior to any judicial challenge of the provisions of this rule.

Regulatory Flexibility Act

Pursuant to requirements set forth in the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 et seq.), the Administrator of AMS has considered the economic effect of this action on small entities and has determined that this rule will not have a significant economic impact on a substantial number of small business entities. The purpose of RFA is to fit regulatory actions to the scale of business subject to such actions in order that small businesses will not be unduly burdened.

The Department of Agriculture’s (Department) National Agricultural Statistics Service estimates that in calendar year 2000 the number of cattle operations in the United States totaled approximately 1.1 million, including feedlot operations. There are also 45 QSBCs in the United States. In addition, there are 11 States with brand inspectors. The majority of these operations are considered small businesses under the criteria established by the Small Business Administration.

This final rule imposes no significant burden on the industry as it merely gives producers the opportunity to voluntarily pay the $1-per-head assessment on cattle of their own production prior to sale and to remit the assessments to the QSBC located in the producers State of residence.

The impact on QSBCs will be a redistribution of an estimated maximum of one-half million dollars of the $40 million currently retained annually in total by the 45 QSBCs. The Department estimates that up to 6 million head or 20 percent of the approximately 30 million head of steers and heifers slaughtered annually are sold for slaughter under retained ownership. The Department also estimates that assessments on up to one-sixth of the cattle (1 million head) will be paid in advance to QSBCs. If the $1 assessment were paid in advance to QSBCs on these cattle, the QSBCs’ 50 percent share of up to $1 million in assessments or as much as $500,000 will be redistributed among the QSBCs.

The major cattle feeding States of Texas, Nebraska, Kansas, Colorado, and Oklahoma could reasonably be expected to account for up to 80 percent of the $500,000 in reduced revenue to QSBCs annually. These States collect an average of $19 million annually and retain one-half that amount or $9.5 million. Assuming that the revenue to each of these five States available for State directed programs was reduced by an average of $80,000, it would represent about a 1 percent decrease in the average revenue available for State directed programs in these States.

The remaining 40 QSBCs have annual State budgets that average $500,000. An estimated net increase in annual income for these States, as a result of the advance payment of assessments, could average up to $10,000 per State representing a 2 percent increase.

Producers wishing to direct payment of assessments to the QSBC in the producers’ State of residence when cattle are sent to another State for feeding under retained ownership, would complete a form that would be provided to affected parties including the QSBC, the feedlot, and the packer or the collecting person.

Copies of the completed “Certification of Producer Directed Payment of Cattle Assessments” form shall be maintained on file by the producer, the QSBC, the feedlot operator, and the purchaser of the cattle for 3 years.

We estimate the average cost of the reporting burden per respondent would be $16 annually.

We estimate the total average cost of the recordkeeping burden per recordkeeper would be $8 annually.

The Administrator of AMS has considered the economic effect of this action on small entities and has determined that this final rule will not have a significant economic impact on a substantial number of small entities.

The proposed rule that was published in the Federal Register on October 19, 2001 (66 FR 53127), invited interested persons to submit comments to the Department concerning potential effects. No comments were received regarding the RFA.

Paperwork Reduction Act

In accordance with OMB regulations (5 CFR Part 1320) which implement the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the information collection and recordkeeping requirements contained in this rule have been approved by OMB under OMB control number 0581-0202.

Title: Certification of Producer Directed Payment of Assessments. OMB Number: 0581-0202

Expiration Date of Approval: March 1, 2005.

Type of Request: Approval of new information collection.

Abstract: The Act provides for a program of promotion, research, consumer information, and industry information funded by assessments paid by beef producers each time cattle are sold and by importers of cattle and beef products upon importation.

Assessments on imported cattle and beef products are collected by the U.S. Customs Service at the rate of $1 per head or the live animal equivalent of beef and beef products. An assessment of $1 per head is due from the producer each time a producer sells cattle in the United States. The assessment is to be collected by the purchaser or other “collecting person” as provided in the rules and regulations published in the Federal Register on February 26, 1988 (53 FR 5749). The producer assessments are then remitted to QSBCs in 45 States and to the Board in the remaining States. QSBCs retain up to one-half of the $1 assessment for use in State directed programs and forward the other half to the Board. Currently, QSBCs in the traditional cattle feeding States (e.g., Texas, Kansas, Nebraska, Oklahoma, and Colorado) collect and retain assessments on cattle sold that are owned by producers residing in other States. This benefits QSBCs in the States that have large numbers of cattle in feedlots owned by producers residing in other States. Some producers retain ownership of cattle and transport them to one of the cattle feeding States. To provide producers with more flexibility and to provide the opportunity for a more equitable distribution of assessment funds to States based on cattle ownership, the final “Certification of Producer Directed Payment of Cattle Assessments” form would be made available for use by producers who want the QSBC located in their States of residence to receive assessment funds rather than the QSBC in the State where the cattle are fed.

1. Certification of Producer Directed Payment of Assessments.

Estimate of Burden: The public reporting burden for this collection of information is estimated to average .20 hour per response.

Respondents: Producers wishing to direct payment of assessments to the QSBC in the producers’ State of residence when cattle are sent to another State for feeding under retained ownership would use the form.
acquired ownership of cattle to facilitate
the transfer of ownership of such cattle
from the seller to a third-party, (2) resold
such cattle no later than 10 days
from the date on which the person
acquired ownership, and (3) certified,
as required by regulations prescribed by
the Board and approved by the
Secretary, that the requirements of this
provision have been satisfied.”
When cattle are sold within 10 days
of purchase by a person who is not a
producer under the above definition, the
collecting person is not required to
collect the $1 assessment from the
person (seller), if the seller provides the
collecting person with a Statement of
Certification of Non-Producer Status on
a form approved by the Board and the
Secretary. The person claiming non-
producer status must submit to the
collecting person a Statement of
Certification of Non-Producer Status “at
the time of sale” in lieu of paying the
assessment.
In a similar fashion, this modification
to the regulations to permit producer-
directed payment of assessments will
result in the collecting person, at the
time of sale, collecting a document
certifying that the assessment had been
paid in advance by the producer.
The Department believes that this
producer-directed payment option will
be used by producers of a relatively
small share of all cattle sold. This rule
will apply only to cattle of a producer’s
own production transported to another
State under retained ownership for
feeding prior to sale as slaughter cattle.
Utilizing this option would permit a
producer who retains ownership of
cattle to ensure that the QSCB located
in the State where the producer resides
receives the $1 checkoff rather than the
QSCB in the State in which the cattle
are located where sold. This final rule
could increase checkoff revenue for
many QSCBs such as those located in the
southeastern United States that
currently do not receive revenue from
cattle owned and sold by producers
residing in the southeastern States who
use feedlots in States such as Texas,
Kansas, Nebraska, Oklahoma, and
Colorado to finish cattle before selling
the cattle to packers.
Since States retain up to one-half of
the $1-per-head checkoff for use in State
directed programs, providing producers
with the flexibility and the opportunity
to direct payment of the assessment to
their home State likely would increase
revenue in many States such as Florida,
Georgia, Alabama, and Mississippi with
limited feedlot capacity.

**Comments**

On October 19, 2001, the Department
published in the Federal Register (66
FR 53127) for comment a proposed rule
to amend the Rules and Regulations
established under the Act. The proposed
rule provided the opportunity for a
producer to pay the $1-per-head
assessment to the QSCB located in the
producer’s State of residence prior to
sale, subject to certain conditions.
The proposed rule was published with
a request for comments to be
submitted by December 18, 2001. The
Department received comments from
47 national and State beef and dairy cattle
organizations, and brand inspectors, as
well as from cattle producers.
Comments from 44 commenters were
filed on time. Eleven commenters
supported the proposed rule while four
commenters proposed modifications
and requested clarifications to it.
Twenty-nine commenters opposed the
proposed rule. Three comments were
submitted after the comment period
ended. The late comments, however,
supported the rule as proposed.

The comments are discussed below,
together with a description of the
changes made by the Department in this
final rule. In general, persons and
organizations in States that may see an
increase in assessments supported the
proposed rule, while persons and
organizations in the primary cattle
feeding States that may see a reduction
in assessments did not support the
proposed rule.

Three commenters suggested
producers, QSCBs, the Board, the
feedlot operator, and the purchaser of
the cattle should maintain copies of the
Certification of Producers Direct
Payment of Cattle Assessments forms on
file for 3 years rather than 2 years. The
standard procedure currently in place
for random compliance audits of
remitters is 3 years. The Department
believes that this comment has merit,
and this change is reflected in
§1260.311(f)(4) by removing 2 years and
inserting 3 years.

One commenter asserted that the
QSCB which receives the additional
checkoff funds must be responsible for
compliance. Currently, QSCBs are
responsible for collecting and remitting
the assessment to the Board and
ensuring that those persons subject to
the assessment remit them. In States
where there is no QSCB, the Board is
responsible for compliance.
Accordingly, the Department is not
making any changes in response to this
comment.

The same commenter suggested that
the term Board could be omitted from
§1260.311(f)(1), as only
the QSBC located in the State where the producer resides would apply. The commenter noted that producers in the five States without a QSBC will be unable to use this option as their dollar already is currently directed to the Board. The Department believes that this comment has merit and therefore the term Board is removed from § 1260.311(f)(1) in this final rule.

Five commenters stated that the regulations must specify what “cattle of a producer’s own production” are in order to ensure this includes only offspring from a producer’s own cow herd that have been continuously and exclusively under his or her ownership, and are being sent to feedlots with the intent of continuously owning the cattle through the entire feeding phase. The Department believes that this comment has merit and additional clarification regarding the meaning of “cattle of a producer’s own production” is reflected in new § 1260.311(f)(i)(ii) of this final rule.

Three commenters asserted that producers must list the number of their cow herds on the certificate as a method to cross check that the cattle transported to the feedyard qualify as retained ownership cattle. The Department believes that this additional requirement would not have any impact on compliance activities. The current compliance practices in the industry and the proposed certification process are sufficient to ensure compliance with the provisions of the Act, the Beef Promotion and Research Order (Order), and this final rule.

Two commenters suggested that the regulation should apply only to true retained ownership cattle. Since cattle sold through auctions, dealer/order buyers, and country sales are not applicable, the commenters believe these references should be removed from the table in § 1260.311(c). While the table in § 1260.311(c) is being updated as part of this final rule, it does not directly apply to the producer payment option of this final rule. It specifies the party responsible for collecting and remitting assessments in designated States. Accordingly, the Department is not making any changes in response to these comments.

Another commenter stated that assessments should be collected on cattle sold within the first 30 days of movement and the dollars returned to the State of Origin under the current rules. The Department believes that the option provided for in this rule is flexible and cost effective for producers. Under § 1260.311(f)(ii) of the rule producers can pay the assessment either before or at the time the cattle are transported. Therefore, we are not making any changes to the rule in response to this comment.

Three commenters stated that the regulations should address death loss on cattle that are prepaid in the State of Origin. The commenters suggested that the proposal should specify that the producer will not be given a credit of their dollar for cattle that have died before they are shipped to the ultimate purchaser of the cattle. The Department believes that this comment has merit. Because of the low mortality rates and the costs associated with administrative matters involving investigation of animal death and producer, QSBC and Board notification, the costs associated with producer credits would be substantial, far in excess of the $1-per-head assessment paid by the producer. Therefore, we are adding a new paragraph 5 to § 1260.311(f) of this final rule to prohibit credits of assessments for those cattle lost because of death.

Three commenters asserted that many feedlots have programs involving sorting and mingling of cattle from various owners into numerous different pens and lots and then sold to the packer at different times. Consequently, if the assessment is prepaid, the documentation on those cattle could be confusing since they will not be processed in the same lot. The Department believes the feedlot should not be required to complete a new form. Feedlots may note on the existing form that the specific cattle marketed have been prepaid in order to facilitate their own recordkeeping. Accordingly, we are not making any changes in response to this comment.

One commenter expressed concern that some cattle may be placed on feed with the producer having the intention of retaining ownership through the entire feeding cycle. However, during the feeding cycle, the producer may decide to sell a partial interest in the cattle within the feedyard. The purpose of this rule is to provide producers the opportunity to voluntarily pay the $1-per-head assessment to the QSBC on cattle transported to a feedyard under retained ownership. This rule does not provide producers with an opportunity for a credit. If a producer transfers any interest in the cattle prior to their sale to a purchaser, the cattle are no longer covered under the provisions of this rule. Consequently, an additional assessment is due as a result of the new owner transfer, even if the transfer of ownership is only partial.

Four commenters asserted that the QSBC should be required to send a new verification form to the feedlot to notify it that the checkoff has been received. The Department believes that any additional certification of producer payment by QSBCs would be unnecessary and burdensome. As noted previously, the Department believes that the current certification is sufficient to ensure compliance with the provisions of this final rule. Therefore, we are not making any changes in response to this comment.

One commenter stated that the assessments should be paid at the time of transport. Under § 1260.311(f)(1)(ii) of the rule producers can pay the assessment either before or at the time the cattle are transported.

One commenter suggested that the packer should retain a copy of the certificate, not the feedlot, because the packer, as the purchaser, is responsible for collecting the checkoff for slaughter cattle. The commenter believes that this would provide a simple and streamlined procedure for compliance and audit. Section 1260.311(f)(4) requires that the certification form be sent to all parties involved, including packers when they act as purchasers.

One commenter suggested that the producer should be responsible for ensuring the paperwork accompanies the cattle throughout the production process. Section 1260.311(f)(1)(i) requires that the certification be completed by the producer and sent to the feedlot operator. This certification will accompany the cattle when they are sold.

One commenter believes that the final regulation will create compliance problems and will be difficult to correctly monitor and may cause double assessments, incorrect assessments, or no assessments collected. The Department believes that because of the anticipated small number of producers that will prepay the assessment, any compliance problems that may arise will be manageable. In addition, the rule provides that the required certification must accompany the cattle through the entire process, thereby minimizing any potential compliance problems. Further, if the certification does not accompany the cattle, those cattle would be assessed the $1-per-head checkoff in accordance with the Act and the Order.

Twenty-eight commenters asserted that the proposal would increase paperwork required to accompany cattle transported to other States. The Department does not anticipate a significant increase in administrative costs and paperwork for those States primarily affected by this final rule. It would be the anticipated small number of producers who will prepay the assessment.
Twenty-seven commenters asserted that the top five cattle producing States would have to deal with this new procedure more frequently than other States. While the Department recognizes that the larger cattle producing States will likely be more affected, we believe that because of the anticipated small number of producers who will pay the assessment, any additional burden will be small.

Twenty-nine commenters asserted that if out of State cattle arrive without the certification, brand inspectors will, by law, collect the assessment. As previously noted, if the certification form does not accompany the cattle, the brand inspector will collect the assessment in accordance with the Act, the Order, and the Rules and Regulations.

Twenty-one commenters asserted that because of the anticipated small number of producers who will prepay the assessment, any additional burden or paperwork burden because of the anticipated small number of producers who will prepay the assessment.

Additional Changes. We are making nonsubstantiative changes to §1260.311(f) for the purpose of clarity. In addition, the Board recommended that the chart under §1260.311(c) be corrected and updated to reflect the current collection and remittance procedures in States where brand inspectors are responsible for collecting and remitting assessment. Based upon our review of the Board’s comment, we are making changes to the chart in this rule as follows:

Add the State of Nevada and change collecting person (CP) to brand inspector (B) in Idaho for transactions which occur at auction markets and slaughter/packer. The changes reflect those additions and changes to the chart under §1260.311(c).

<table>
<thead>
<tr>
<th>States</th>
<th>Sales through auction markets</th>
<th>Sales to a slaughter/packer</th>
<th>Sales to a feedlot</th>
<th>Sales to an order buyer/dealer</th>
<th>Country sales</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nevada</td>
<td>B</td>
<td>B</td>
<td>B</td>
<td>B</td>
<td>B</td>
</tr>
<tr>
<td>Idaho</td>
<td>B</td>
<td>B</td>
<td></td>
<td></td>
<td>B</td>
</tr>
</tbody>
</table>

Pursuant to 5 U.S.C. 553, it is found and determined that good cause exists for not postponing the effective date of this rule until 30 days after publication in the Federal Register. An effective date of October 1, 2002, will allow producers to take advantage of this action in time for fall cattle marketing. This rule permits producers who retain ownership of cattle that are shipped to another State for feeding to pay the $1 checkoff to the QSBC located in the State where the producer resides rather than the QSBC in the State in which the cattle are located when sold.

List of Subjects in 7 CFR Part 1260

Advertising, Agricultural research, Imports, Marketing agreements, Meat and meat products, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR part 1260 is amended as follows:

PART 1260—BEEF PROMOTION AND RESEARCH

1. The authority citation for part 1260 continues to read as follows:


2. In §1260.311, revise paragraphs (a) and (c) and add paragraph (f) to read as follows:

§1260.311 Collecting persons for purposes of collection of assessments.

(a) Except as provided in paragraphs (b), (c), and (f) of this section, each person making payment to a producer for cattle purchased in the United States shall collect from the producer an assessment at the rate of $1-per-head of cattle purchased and shall be responsible for remitting assessments to the QSBC or the Board as provided in §1260.312. The collecting person shall remit the assessment at the same time the collecting person makes payment or any credit to the producer’s account for the cattle purchased. The person paying the producer shall give the producer a receipt indicating payment of the assessment.

(c) In the States listed in the following chart there exists a requirement that cattle be brand inspected by State authorized inspectors prior to sale. In addition, when cattle are sold in the sales transactions listed below in those States, these State authorized inspectors are authorized to, and shall, except as provided for in paragraph (f) of this section, collect assessments due as a result of the sale of cattle. In those transactions in which inspectors are responsible for collecting assessments, the person paying the producer shall not be responsible for the collection and remittance of such assessments. The following chart identifies the party responsible for collecting and remitting assessments in those States:
State in which the producer resides. A producer shall be the collecting person and has the responsibility to collect and remit the assessment in advance to the QSBC in accordance with this paragraph (f) to producers are provided the option in payment to a producer for cattle not a sale to a slaughter/packer, feedlot, or order buyer or dealer.

(f)(1) In lieu of each person making a payment to a producer for cattle purchased in the United States, producers are provided the option in accordance with this paragraph (f) to remit the assessment to the QSBC in the State in which the producer resides. A producer who transports, prior to sale, cattle of that producer’s own production to another State, may elect to make a directed payment of the $1-per-head assessment in advance to the QSBC in the State in which the producer resides, provided that the producer fulfills the following requirements:

(i) Transports the cattle under retained ownership to a feedlot or similar location, and the cattle remain at such location, prior to sale, for a period not less than 30 days; and

(ii) The producer, either before or at the time of transport, signs a Certification of Producer Directed Payment of Cattle Assessments form indicating that the assessment has been paid in advance, and remits the assessment to the appropriate QSBC. A copy of the certification form indicating the payment of the assessment shall be sent by the producer with the assessment when remitted to the QSBC. The producer also shall send a copy of the certification form to the feedlot operator at the time the cattle are delivered. A copy of the certification form also shall be given to the purchaser of the cattle by the feedlot operator at the time of sale.

(2) The certification form will include the following information:

(i) Producer’s Name.

(ii) Producer’s social security number or Tax I.D. number.

(iii) Producer’s address (street address or P.O. Box, city, State, and zip code).

(iv) Signature of Producer.

(v) Producer’s State of residence.

(vi) Number of cattle shipped to out of State feedyard under retained ownership.

(vii) Date cattle shipped.

(viii) State where cattle will be on feed.

(ix) Name of feedyard.

(x) Address of feedyard.

(3) Cattle of a producer’s own production shall be those cattle which meet all of the following requirements:

(i) The cattle shall be offspring of a producer’s own cow herd;

(ii) The cattle shall have been continuously and exclusively under the producer’s ownership; and

(iii) The cattle are transported to a feedlot with such producer continuously owning the cattle through the entire feeding phase.

(4) For those cattle for which the assessment has been producer directed and paid in advance pursuant to paragraph (f)(1) of this section, the purchaser of the cattle shall not be required to collect and remit the assessment, but shall maintain on file a copy of the Certification of Producer Directed Payment of Cattle Assessments form completed and signed by the producer who originally transported the cattle under retained ownership.

(5) For those cattle for which the assessment has been producer directed and paid in advance pursuant to paragraph (f)(1) of this section, copies of the completed Certification of Producer Directed Payment of Cattle Assessments form shall be maintained on file by the producer, the QSBC or the Board, the feedlot operator, and the purchaser of the cattle for 3 years.

(6) Producers shall not receive credit of the assessment required to be paid pursuant to paragraph (f)(1) of this section for those cattle lost because of death.

Dated: September 26, 2002.

A. J. Yates,

Administrator, Agricultural Marketing Service.

[FR Doc. 02–24968 Filed 9–27–02; 3:57 pm]

BILLING CODE 3410–02–P

DEPARTMENT OF AGRICULTURE

Food Safety and Inspection Service

9 CFR Parts 331 and 381

[Docket No. 02–028F]

Termination of Designation of the State of Maine With Respect to the Inspection of Meat and Meat Food Products and Poultry and Poultry Food Products

AGENCY: Food Safety and Inspection Service, USDA.

ACTION: Direct final rule and termination of designation.

SUMMARY: This direct final rule amends the Federal meat and poultry products inspection regulations by terminating the designation of the State of Maine under Titles I, II, and IV of the Federal Meat Inspection Act (FMIA) and under sections 1 through 4, 6 through 11, and 12 through 22 of the Poultry Products Inspection Act (PPIA).

DATES: This direct final rule will be effective November 1, 2002 unless FSIS receives written adverse comments within the scope of this rulemaking or written notice of intent to submit