

# Rules and Regulations

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## DEPARTMENT OF AGRICULTURE

### Farm Service Agency

#### 7 CFR Part 772

RIN 0560-AG67

#### Servicing Minor Program Loans

**AGENCY:** Farm Service Agency, USDA.

**ACTION:** Correcting amendment.

**SUMMARY:** This document corrects the final regulations published December 16, 2003 (68 FR 69948), which consolidated servicing regulations for the Minor Loan Program currently administered by the Farm Service Agency. This amendment corrects an editorial mistake relating to a regulatory reference.

**EFFECTIVE DATE:** February 19, 2004.

**FOR FURTHER INFORMATION CONTACT:** Mel Thompson, Senior Loan Officer, Farm Service Agency; telephone: 202-720-7862; Facsimile: 202-690-1196; e-mail: [mel\\_thompson@wdc.fsa.usda.gov](mailto:mel_thompson@wdc.fsa.usda.gov). Persons with disabilities who require alternative means for communication (Braille, large print, audio tape, etc.) should contact the USDA Target Center at (202) 720-2600 (voice and TDD).

**SUPPLEMENTARY INFORMATION:** This document corrects final regulations that consolidated and clarified the servicing policies of the Farm Service Agency's Minor Loan Programs published in the *Federal Register* on December 16, 2003. Section 772.9(a)(3) as promulgated incorrectly states, "An exchange in accordance with § 772.7(b) has been concluded." This document replaces the reference to § 772.7(b) with the correct reference to § 772.8.

■ For the reason stated above, 7 CFR 772.9 is corrected by making the following amendment:

### PART 772—[AMENDED]

■ 1. The authority citation continues to read as follows:

**Authority:** 5 U.S.C. 301, 7 U.S.C. 1989, 25 U.S.C. 490.

■ 2. Revise paragraph 772.9(a)(3) to read as follows:

#### § 772.9 Releases.

(a) \* \* \*

(3) An exchange in accordance with § 772.8 has been concluded.

Signed in Washington, DC, on February 11, 2004.

**James R. Little,**

*Administrator, Farm Service Agency.*

[FR Doc. 04-3532 Filed 2-18-04; 8:45 am]

**BILLING CODE 3410-05-P**

## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

#### 9 CFR Part 145

[Docket No. 03-017-3]

#### National Poultry Improvement Plan; Technical Amendment

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

**ACTION:** Final rule; technical amendment.

**SUMMARY:** In a final rule published in the *Federal Register* on November 14, 2003, and effective December 15, 2003, we amended the National Poultry Improvement Plan (the Plan) and its auxiliary provisions by providing new or modified sampling and testing procedures for Plan participants and participating flocks. In one instance in that final rule, we misidentified the type of birds to be tested under the U.S. Avian Influenza Clean program for waterfowl, exhibition poultry, and game bird breeding flocks. Therefore, we are amending the provisions of the Plan so that they correctly identify the type of birds to be tested.

**EFFECTIVE DATE:** December 15, 2003.

**FOR FURTHER INFORMATION CONTACT:** Mr. Andrew R. Rhorer, Senior Coordinator, Poultry Improvement Staff, National Poultry Improvement Plan, Veterinary Services, APHIS, USDA, 1498 Klondike Road, Suite 200, Conyers, GA 30094-5104; (770) 922-3496.

### SUPPLEMENTARY INFORMATION:

#### Background

In a final rule published in the *Federal Register* on November 14, 2003 (68 FR 64507-64512, Docket No. 03-017-2), and effective December 15, 2003, we amended the National Poultry Improvement Plan (the Plan) and its auxiliary provisions by providing new or modified sampling and testing procedures for Plan participants and participating flocks.

As part of that final rule, we added a new U.S. Avian Influenza Clean program to the regulations governing waterfowl, exhibition poultry, and game bird breeding flocks in § 145.53(e). Under that program, we require that a sample of at least 30 birds must test negative for antibodies to avian influenza in order for a flock to retain its U.S. Avian Influenza Clean classification; for primary breeding flocks, the maximum interval between tests is 90 days, and for multiplier breeding flocks, the maximum interval between tests is 180 days. However, the regulations provide that a sample of fewer than 30 birds may be tested at any one time if all pens are equally represented and a total of 30 birds are tested within each 90- or 180-day period.

In paragraph (e)(2)(ii) of § 145.53 in our final rule, we stated "[a] sample of fewer than 30 birds may be tested, and found to be negative, at any one time if all pens are equally represented and a total of 30 unvaccinated sentinel birds are tested within each 180-day period." Our reference to "unvaccinated sentinel birds" in § 145.53(e)(2)(ii) was in error. Everywhere else in § 145.53(e) where we refer to required testing, we refer simply to "birds," and there are no provisions made in the U.S. Avian Influenza Clean program described in § 145.53(e) for the use of sentinel birds or the setting aside of unvaccinated birds. Therefore, we are amending § 145.53(e)(2)(ii) in this document to remove the words "unvaccinated sentinel" before the word "birds" in that paragraph.

#### List of Subjects in 9 CFR Part 145

Animal diseases, Poultry and poultry products, Reporting and recordkeeping requirements.

■ Accordingly, we are amending 9 CFR part 145 as follows: