

Tray packs had been the container of choice in previous seasons, but handlers have been switching gradually to volume fill containers.

The following table compares major budget expenditures (in thousands of dollars) recommended by the Committee for the 1998–99 and 1997–98 fiscal years:

Budget expense categories	1998–99	1997–98
Administrative Staff and Field Salaries	44.2	102.2
Contingency Fund/ Operating Reserve	29.2	0
Travel, Food and Lodging .....	5.0	13.8
Accident and Health Insurance .....	3.8	12.2

The Committee owes \$32,577 to the California Kiwifruit Commission (Commission) and plans to pay off the loan during the 1998–99 fiscal period. The Commission administers a State program utilized to promote California kiwifruit. The Committee and Commission share staff and expenses through an agency agreement.

The Committee borrowed the money from the Commission pursuant to § 920.41 of the order to cover a fund shortage during the 1997–98 fiscal period. Handler assessments received were lower than expected because the 1997–98 crop of 9 million trays or tray equivalents and shipments of 8.5 million trays or equivalents were smaller than the Committee anticipated. The Committee had estimated that assessments would be \$225,000 for the 1997–98 fiscal period and that kiwifruit shipments would be 10 million trays or equivalents.

To lessen the financial burden on handlers, the Committee voted to reduce 1998–99 expenditures and the assessment rate. The reduced rate allows the Committee to meet its expenses, to reimburse the borrowed funds, and to establish an adequate reserve (estimated to be \$29,200 at the end of the 1998–99 fiscal period). Currently, there are no funds in the reserve. Section 920.42 of the order provides for a maximum reserve equal to approximately 1 fiscal period's expenses.

Prior to arriving at this budget, the Committee considered information from various sources, such as the Committee's Finance and Assessment Subcommittee. Alternative expense levels and assessment rates were considered at several industry strategic planning meetings. The assessment rate of \$0.05 per 22-pound volume fill container or equivalent of assessable

kiwifruit was determined by dividing the total recommended budget for 1998–99 by the quantity of assessable kiwifruit, estimated at 2,705,000 22-pound volume fill containers or equivalents.

A review of historical information and preliminary information pertaining to the upcoming fiscal period indicated that the grower price for the 1998–99 season would be approximately \$7.59 per 22-pound volume fill container or equivalent of kiwifruit. Therefore, the estimated assessment revenue for the 1998–99 fiscal period as a percentage of total grower revenue is estimated at 0.7 percent.

This action continues a decrease in the assessment obligation imposed on handlers. Assessments are applied uniformly on all handlers, and some of the costs may be passed on to producers. However, decreasing the assessment rate reduces the burden on handlers, and may reduce the burden on producers. In addition, the Committee's meeting was widely publicized throughout the California kiwifruit industry and all interested persons were invited to attend the meeting and participate in Committee deliberations on all issues. Like all Committee meetings, the July 8, 1998, meeting was a public meeting and all entities, both large and small, were able to express views on this issue. Finally, interested persons were invited to submit information on the regulatory and informational impacts of this action on small businesses.

This action imposes no additional reporting or recordkeeping requirements on either small or large California kiwifruit handlers. As with all Federal marketing order programs, reports and forms are periodically reviewed to reduce information requirements and duplication by industry and public sector agencies.

The Department has not identified any relevant Federal rules that duplicate, overlap, or conflict with this rule.

An interim final rule concerning this action was published in the **Federal Register** on August 20, 1998 (63 FR 44541). Copies of that rule were also mailed or sent via facsimile to all kiwifruit handlers. Finally, the interim final rule was made available through the Internet by the Office of the Federal Register. A 60-day comment period was provided for interested persons to respond to the interim final rule. The comment period ended on October 19, 1998, and no comments were received.

After consideration of all relevant material presented, including the information and recommendation

submitted by the Committee and other available information, it is hereby found that this rule, as hereinafter set forth, will tend to effectuate the declared policy of the Act.

#### List of Subjects in 7 CFR Part 920

Kiwifruit, Marketing agreements.

For the reasons set forth in the preamble, 7 CFR part 920 is amended as follows:

#### PART 920—KIWIFRUIT GROWN IN CALIFORNIA

Accordingly, the interim final rule amending 7 CFR part 920 which was published at 63 FR 44541 on August 20, 1998, is adopted as a final rule without change.

Dated: November 4, 1998.

**Robert C. Keeney,**

*Deputy Administrator, Fruit and Vegetable Programs.*

[FR Doc. 98–30121 Filed 11–9–98; 8:45 am]

BILLING CODE 3410–02–P

#### DEPARTMENT OF AGRICULTURE

#### Animal and Plant Health Inspection Service

#### 9 CFR Parts 1, 2, and 11

[Docket No. 98–024–1]

#### Reorganization; Animal Care

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

**ACTION:** Final rule.

**SUMMARY:** We are amending the Animal Welfare and horse protection regulations by removing all references to “Regulatory Enforcement and Animal Care” and “APHIS, REAC Sector Supervisor” and replacing them with “Animal Care” and “AC Regional Director,” respectively. This final rule is necessary for the regulations to accurately reflect the current organizational structure of the Animal and Plant Health Inspection Service.

**EFFECTIVE DATE:** November 10, 1998.

**FOR FURTHER INFORMATION CONTACT:** Dr. Jerry DePoyster, Senior Veterinary Medical Officer, Animal Care, APHIS, 4700 River Road Unit 84, Riverdale, MD 20788–1231, (301) 734–7586.

**SUPPLEMENTARY INFORMATION:**

#### Background

In 1996, the Regulatory Enforcement and Animal Care (REAC) program area of the Animal and Plant Health Inspection Service (APHIS) was reorganized and divided into the Investigative and Enforcement Services

(IES) and Animal Care (AC) programs. IES is responsible for investigating instances of noncompliance with APHIS regulations, and AC conducts inspections and other activities to enforce the provisions of the Animal Welfare Act, the Horse Protection Act, and the regulations promulgated under those acts. To reflect this change in APHIS' organization, we are amending the Animal Welfare regulations in 9 CFR parts 1 and 2 and the horse protection regulations in 9 CFR part 11. Specifically, we are removing all references to "Regulatory Enforcement and Animal Care" and "APHIS, REAC Sector Supervisor" and are replacing them with references to "Animal Care" and "AC Regional Director," respectively.

This rule relates to internal agency management. Therefore, pursuant to 5 U.S.C. 553, notice of proposed rulemaking and opportunity to comment are not required, and this rule may be made effective less than 30 days after publication in the **Federal Register**. Further, since this rule relates to internal agency management, it is exempt from the provisions of Executive Orders 12866 and 12988. Finally, this action is not a rule as defined by the Regulatory Flexibility Act, and thus is exempt from the provisions of that Act.

**Paperwork Reduction Act**

This rule contains no information collection or recordkeeping requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.).

**List of Subjects**

*9 CFR Part 1*

Animal welfare, Pets, Reporting and recordkeeping requirements, Research.

*9 CFR Part 2*

Animal welfare, Pets, Reporting and recordkeeping requirements, Research.

*9 CFR Part 11*

Animal welfare, Horses, Reporting and recordkeeping requirements.

Accordingly, we are amending 9 CFR parts 1, 2, and 11 as follows:

**PART 1—DEFINITION OF TERMS**

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

**Authority:** 7 U.S.C. 2131–2159; 7 CFR 2.22, 2.80, and 371.2(g).

2. Section 1.1 is amended as follows:

a. By removing the definition of *APHIS, REAC Sector Supervisor* and by adding, in alphabetical order, a definition of *AC Regional Director* to read as set forth below.

b. In the definition of *Deputy Administrator*, by removing the words "Regulatory Enforcement and Animal Care (REAC)" and adding in their place the words "Animal Care (AC)" and by removing the word "REAC" and adding in its place the word "AC".

**§ 1.1 Definitions.**

\* \* \* \* \*

*AC Regional Director* means a veterinarian or his designee, employed by APHIS, who is assigned by the Administrator to supervise and perform the official work of APHIS in a given State or States. As used in part 2 of this subchapter, the AC Regional Director shall be deemed to be the person in charge of the official work of APHIS in the State in which the dealer, exhibitor, research facility, intermediate handler, carrier, or operator of an auction sale has his principal place of business.

\* \* \* \* \*

**PART 2—REGULATIONS**

3. The authority citation for part 2 continues to read as follows:

**Authority:** 7 U.S.C. 2131–2159; 7 CFR 2.22, 2.80, and 371.2(g).

**§ 2.1 [Amended]**

4. Section 2.1 is amended by removing the words "APHIS, REAC Sector Supervisor" and adding in their place the words "AC Regional Director" in the following places:

- a. Paragraph (a)(1) each time they appear.
- b. Paragraph (a)(2).
- c. Paragraph (b).
- d. Paragraph (d)(2).
- e. Paragraph (e)(1).

**§ 2.5 [Amended]**

5. Section 2.5 is amended by removing the words "APHIS, REAC Sector Supervisor" and adding in their place the words "AC Regional Director" in the following places:

- a. Paragraph (a)(2).
- b. Paragraph (c).
- c. Paragraph (f) each time they appear.

**§ 2.6 [Amended]**

6. In § 2.6, paragraph (a) is amended by removing the words "APHIS, REAC Sector Supervisor" and adding in their place the words "AC Regional Director".

**§ 2.7 [Amended]**

7. In § 2.7, paragraph (a) is amended by removing the words "APHIS, REAC Sector Supervisor" each time they appear and adding in their place the words "AC Regional Director".

**§ 2.8 [Amended]**

8. Section 2.8 is amended by removing the words "APHIS, REAC

Sector Supervisor" and adding in their place the words "AC Regional Director".

**§ 2.10 [Amended]**

9. In § 2.10, paragraph (a) is amended by removing the words "APHIS, REAC Sector Supervisor" and adding in their place the words "AC Regional Director".

**§ 2.25 [Amended]**

10. In § 2.25, paragraph (a) is amended by removing the words "APHIS, REAC Sector Supervisor" each time they appear and adding in their place the words "AC Regional Director".

**§ 2.26 [Amended]**

11. Section 2.26 is amended by removing the words "APHIS, REAC Sector Supervisor" and adding in their place the words "AC Regional Director".

**§ 2.27 [Amended]**

12. Section 2.27 is amended by removing the words "APHIS, REAC Sector Supervisor" and adding in their place the words "AC Regional Director" in the following places:

- a. Paragraph (a).
- b. Paragraph (b)(1) each time they appear.
- c. Paragraph (b)(2).

**§ 2.30 [Amended]**

13. Section 2.30 is amended by removing the words "APHIS, REAC Sector Supervisor" and adding in their place the words "AC Regional Director" in the following places:

- a. Paragraph (a)(1) each time they appear.
- b. Paragraph (b).
- c. Paragraph (c)(1).
- d. Paragraph (c)(2) each time they appear.
- e. Paragraph (c)(3).

**§ 2.31 [Amended]**

14. In § 2.31, paragraph (d)(1)(x)(C) is amended by removing the words "Regulatory Enforcement and Animal Care,".

**§ 2.36 [Amended]**

15. In § 2.36, paragraph (a) is amended by removing the words "APHIS, REAC Sector Supervisor" and adding in their place the words "AC Regional Director".

**§ 2.38 [Amended]**

16. Section 2.38 is amended as follows:

- a. By removing the words "APHIS, REAC Sector Supervisor" and adding in their place the words "AC Regional Director" in the following places:
  - i. Paragraph (c).
  - ii. Paragraph (g)(7), footnote 1.
  - iii. Paragraph (i).

b. In paragraph (h)(2), by removing the words "Regulatory Enforcement and Animal Care,".

**§ 2.52 [Amended]**

17. In § 2.52, footnote 4 is amended by removing the words "APHIS, REAC Sector Supervisor" and adding in their place the words "AC Regional Director".

**§ 2.78 [Amended]**

18. In § 2.78, paragraph (b) is amended by removing the words "Regulatory Enforcement and Animal Care,".

**§ 2.102 [Amended]**

19. In § 2.102, paragraphs (a) and (b) are amended by removing the words "APHIS, REAC Sector Supervisor" and adding in their place the words "AC Regional Director".

**§ 2.127 [Amended]**

20. Section 2.127 is amended by removing the words "APHIS, REAC Sector Supervisor" and adding in their place the words "AC Regional Director".

**PART 11—HORSE PROTECTION REGULATIONS**

21. The authority citation for part 11 continues to read as follows:

**Authority:** 15 U.S.C. 1823, 1824, 1825, and 1828; 44 U.S.C. 3506.

22. In § 11.1, the definition of *Sector Supervisor* is removed and a definition of *Regional Director* is added, in alphabetical order, to read as follows:

**§ 11.1 Definitions.**

\* \* \* \* \*

*Regional Director* means the APHIS veterinarian who is assigned by the Administrator to supervise and perform official duties of APHIS under the Act in a specified State or States.<sup>1</sup>

\* \* \* \* \*

**§ 11.7 [Amended]**

23. In § 11.7, footnote 6 is amended by removing the words "Regulatory Enforcement and Animal Care,".

**§ 11.24 [Amended]**

24. In § 11.24, paragraphs (a) and (b) are amended by removing the words "Sector Supervisor" and adding in their place the words "Regional Director".

<sup>1</sup> Information as to the name and address of the Regional Director for the State or States concerned can be obtained by writing to the Animal and Plant Health Inspection Service, Animal Care, 4700 River Road Unit 84, Riverdale, MD 20737-1234.

Done in Washington, DC, this 30th day of October, 1998.

**Craig A. Reed,**

*Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 98-30137 Filed 11-9-98; 8:45 am]

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**DEPARTMENT OF AGRICULTURE**

**Animal and Plant Health Inspection Service**

**9 CFR Parts 92, 93, 94, 95, 96, and 98**

[Docket No. 94-106-14]

RIN 0579-AA11

**Importation of Animals and Animal Products**

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

**ACTION:** Notice of availability.

**SUMMARY:** We are announcing the availability through the World Wide Web of requests received by the Animal and Plant Health Inspection Service (APHIS) to recognize regions for the purpose of exporting animals or animal products to the United States and to assess the disease risk presented by specific commodities exported from those regions.

**ADDRESSES:** To review requests received by APHIS, along with information submitted to support those requests, go to the APHIS Regionalization Request page on the World Wide Web. The Web page URL is <http://www.aphis.usda.gov/vs/reg-request.html>. Once you have reached the Web page, click on the box labeled "Click Here."

**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; or e-mail: [gary.s.colgrove@usda.gov](mailto:gary.s.colgrove@usda.gov).

**SUPPLEMENTARY INFORMATION:** On October 28, 1997, we published in the **Federal Register** (62 FR 56000-56026, Docket No. 94-106-9) a final rule establishing procedures for recognizing regions, rather than only countries, for the purpose of exporting animals and animal products to the United States. The final rule also established procedures by which regions may request permission to export animals and animal products to the United States under specified conditions, based on the regions disease status.

In the final rule, we stated that we will, in general, process applications and risk assessments according to the following procedures:

1. The official of the national government of any country who has the authority in that country to request such a change may submit a request to the Administrator of the Animal and Plant Health Inspection Service (APHIS) that all or part of the country be recognized as a region, be included within an adjacent previously recognized region, or be made part of a region larger than the country.

2. Each request for approval to export a particular type of animal or animal product to the United States from a foreign region must be made to the Administrator, and must include information regarding the following: The veterinary services organization in the region; the disease and vaccination status of the region; the degree of separation from those regions; the control of the movement of animals and products from regions of higher risk; policies and infrastructure for disease control in the region; surveillance practices and diagnostic laboratory capabilities in the region; and livestock demographics and marketing practices in the region.

In the final rule, we also stated that the above information would be made available to the public prior to our initiating any rulemaking action on the request. We are giving notice that this information may be viewed at the Web page described under the heading **ADDRESSES**.

**Authority:** 7 U.S.C. 147a, 150ee, 161, 162, 450, and 1622; 19 U.S.C. 1306; 21 U.S.C. 102-105, 111, 114a, 134a, 134b, 134c, 134d, 134f, 135, 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).

Done in Washington, DC, this 3rd day of November, 1998.

**John R. Clifford,**

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

[FR Doc. 98-30136 Filed 11-9-98; 8:45 am]

BILLING CODE 3410-34-P

**DEPARTMENT OF THE TREASURY**

**Office of the Comptroller of the Currency**

**12 CFR Part 4**

[Docket No. 98-18]

RIN 1557-AB65

**Organization and Functions, Availability and Release of Information, Contracting Outreach Program**

**AGENCY:** Office of the Comptroller of the Currency, Treasury.