

# Rules and Regulations

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## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

#### 9 CFR Part 78

[Docket No. APHIS-2008-0003]

#### Brucellosis in Cattle; State and Area Classifications; Texas

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

**ACTION:** Affirmation of interim rule as final rule.

**SUMMARY:** We are adopting as a final rule, without change, an interim rule that amended the brucellosis regulations concerning the interstate movement of cattle by changing the classification of Texas from Class A to Class Free. We determined that Texas meets the standards for Class Free status. The interim rule relieved certain restrictions on the interstate movement of cattle from Texas.

**DATES:** Effective on August 25, 2008, we are adopting as a final rule the interim rule published at 73 FR 6007-6008 on February 1, 2008.

**FOR FURTHER INFORMATION CONTACT:** Dr. Debbi A. Donch, National Brucellosis Epidemiologist, Ruminant Health Programs Staff, National Center for Animal Health Programs, VS, APHIS, 4700 River Road Unit 43, Riverdale, MD 20737-1231; (301) 734-5952.

#### SUPPLEMENTARY INFORMATION:

##### Background

Brucellosis is a contagious disease affecting animals and humans, caused by bacteria of the genus *Brucella*.

The brucellosis regulations, contained in 9 CFR part 78 (referred to below as the regulations), provide a system for classifying States or portions of States according to the rate of *Brucella* infection present and the general

effectiveness of a brucellosis control and eradication program. The classifications are Class Free, Class A, Class B, and Class C. States or areas that do not meet the minimum standards for Class C are required to be placed under Federal quarantine.

In an interim rule<sup>1</sup> effective and published in the **Federal Register** on February 1, 2008 (73 FR 6007-6008, Docket No. APHIS-2008-0003), we amended the regulations by changing the classification of the State of Texas from Class A to Class Free. That action relieved certain restrictions on the interstate movement of cattle from Texas.

Comments on the interim rule were required to be received on or before April 1, 2008. We received one comment by that date, from an industry organization. The commenter supported the action taken in the interim rule to classify Texas as a Class Free State. Therefore, for the reasons given in the interim rule and in this document, we are adopting the interim rule as a final rule without change.

This action also affirms the information contained in the interim rule 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 its review under Executive Order 12866.

#### List of Subjects in 9 CFR Part 78

Animal diseases, Bison, Cattle, Hogs, Quarantine, Reporting and recordkeeping requirements, Transportation.

#### PART 78—BRUCELLOSIS

■ Accordingly, we are adopting as a final rule, without change, the interim rule that amended 9 CFR part 78 and that was published at 73 FR 6007-6008 on February 1, 2008.

Done in Washington, DC, this 19th day of August 2008.

**Kevin Shea,**

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

[FR Doc. E8-19624 Filed 8-22-08; 8:45 am]

**BILLING CODE 3410-34-P**

<sup>1</sup>To view the interim rule and the comment we received, go to <http://www.regulations.gov/jdmspublic/component/main?main=DocketDetail&d=APHIS-2008-0003>.

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2008-0187; Airspace Docket No. 07-ASO-27]

#### Modification of Area Navigation Route Q-110 and Jet Route J-73; Florida

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule; correction.

**SUMMARY:** This action corrects a final rule published in the **Federal Register** on July 30, 2008; Airspace Docket No. 07-ASO-27, FAA Docket No. FAA-2008-0187. In that rule, an error was made in the navigation aid radials stated in the description for jet route J-73. This action corrects that error. The description of area navigation route Q-110 is correct as published in the rule.

**DATES:** *Effective Date:* 0901 UTC, September 25, 2008. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

**FOR FURTHER INFORMATION CONTACT:** Paul Gallant, Airspace and Rules Group, Office of System Operations Airspace and AIM, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; *telephone:* (202) 267-8783.

#### SUPPLEMENTARY INFORMATION:

##### History

On July 30, 2008, a final rule for Airspace Docket No. 07-ASO-27, FAA Docket No. FAA-2008-0187 was published in the **Federal Register** (73 FR 44147) to modify area navigation route Q-110 and jet route J-73. The legal description for J-73 contained an error in the radials used to form an intersection on the route between the La Belle, FL, very high frequency omnidirectional range/tactical air navigation (VORTAC) aid and the Lakeland, FL, VORTAC. The rule incorrectly described the point as: “\* \* \* INT Labelle 314° and Lakeland, FL 162° radials. \* \* \*” The correct version should read “\* \* \* INT Labelle 313° and Lakeland, FL 161° radials. \* \* \*” This action corrects the error. The description of route Q-110 is correct as published in the rule.

### Correction to Final Rule

■ Accordingly, pursuant to the authority delegated to me, the legal description as published in the **Federal Register** on July 30, 2008 (73 FR 44147), Airspace Docket No. 07-ASO-27, FAA Docket No. FAA-2008-0187, and incorporated by reference in 14 CFR 71.1, is corrected as follows:

#### § 71.1 [Amended]

*Paragraph 2004 Jet Routes.*

\* \* \* \* \*

■ On page 44148 correct the legal description for J-73, to read as follows:

#### J-73 [Corrected]

From Dolphin, FL; LaBelle, FL; INT Labelle 313° and Lakeland, FL, 161° radials; Lakeland; Seminole, FL; La Grange, GA; Nashville, TN; Pocket City, IN; to Northbrook, IL.

\* \* \* \* \*

Issued in Washington, DC, on August 13, 2008.

**Edith V. Parish,**

*Manager, Airspace and Rules Group.*

[FR Doc. E8-19276 Filed 8-22-08; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF HOMELAND SECURITY

### Bureau of Customs and Border Protection

## DEPARTMENT OF THE TREASURY

[Docket No. USCBP-2008-0052; CBP Dec. 08-32]

### 19 CFR Parts 12 and 163

RIN 1505-AB98

### Entry Requirements for Certain Softwood Lumber Products Exported From Any Country Into the United States

**AGENCIES:** Customs and Border Protection, Department of Homeland Security; Department of the Treasury.

**ACTION:** Interim rule; solicitation of comments.

**SUMMARY:** This document sets forth interim amendments to title 19 of the Code of Federal Regulations (CFR) that prescribe special entry requirements applicable to certain softwood lumber and softwood lumber products exported from any country into the United States. The softwood lumber and softwood lumber products subject to these interim entry requirements are those described in section 804(a) within Title VIII (Softwood Lumber Act of 2008 or “the Act”) of the Tariff Act of 1930, as added

by section 3301 of Title III, Subtitle D, of the Food, Conservation, and Energy Act of 2008 (Pub. L. 110-246, enacted June 18, 2008). Within Title VIII, section 803 requires the President to establish and maintain an importer declaration program with respect to the importation of certain softwood lumber and softwood lumber products and prescribes special entry requirements whereby importers must submit the export price, estimated export charge, if any, and an importer declaration with the entry summary. There are also new recordkeeping requirements applicable to certain imports of softwood lumber home packages and kits which are subject to declaration requirements, but which are not subject to the softwood lumber importer declaration program of section 803 of the Act. These interim amendments set forth the procedural and documentation requirements necessary to implement the entry requirements specified in the statute.

**DATES:** This interim rule is effective on September 18, 2008. Comments must be received on or before October 24, 2008.

**ADDRESSES:** You may submit comments, identified by *docket number*, by one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments via Docket No. USCBP 2008-0052.
- *Mail:* Trade and Commercial Regulations Branch, Regulations and Rulings, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue, NW. (Mint Annex), Washington, DC 20229.

*Instructions:* All submissions received must include the agency name and docket number for this rulemaking. All comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided. For detailed instructions on submitting comments and additional information on the rulemaking process, see the “Public Participation” heading of the **SUPPLEMENTARY INFORMATION** section of this document.

*Docket:* For access to the docket to read background documents or comments received, go to <http://www.regulations.gov>. Submitted comments may also be inspected during regular business days between the hours of 9 a.m. and 4:30 p.m. at the Trade and Commercial Regulations Branch, Regulations and Rulings, Office of International Trade, U.S. Customs and Border Protection, 799 9th Street, NW., 5th Floor, Washington, DC. Arrangements to inspect submitted comments should be made in advance

by calling Joseph Clark at (202) 572-8768.

**FOR FURTHER INFORMATION CONTACT:** Joseph M. Rees, Director, Trade Agreements and Communications Division, Office of International Trade, Tel: (202) 863-6065.

### SUPPLEMENTARY INFORMATION:

#### Public Participation

Interested persons are invited to participate in this rulemaking by submitting written data, views, or arguments on all aspects of the interim rule. Customs and Border Protection (CBP) also invites comments that relate to the economic, environmental, or federalism effects that might result from this interim rule. Comments that will provide the most assistance to CBP in developing these procedures will reference a specific portion of the interim rule, explain the reason for any recommended change, and include data, information, or authority that supports such recommended change.

#### Background

##### *I. Softwood Lumber Act of 2008: Importer Declaration Program*

Section 3301, within Title III, Subtitle D, of the Food, Conservation, and Energy Act of 2008 (Pub. L. 110-246) was enacted June 18, 2008, and amends the Tariff Act of 1930 (19 U.S.C. 1202 *et seq.*) by adding a new Title VIII, entitled the “Softwood Lumber Act of 2008” (“the Act”). The Act requires the President to establish and maintain an importer declaration program with respect to the importation of certain softwood lumber and softwood lumber products and prescribes special entry requirements whereby importers must provide the export price, estimated export charge, if any, and an importer declaration with the entry summary documentation. The Act also imposes new recordkeeping requirements applicable to certain imports of softwood lumber home packages and kits.

Title VIII is comprised of sections 801 through 809, which set forth the components of the softwood lumber importer declaration program. These sections, in pertinent part:

- Define certain terms and phrases applicable to the program (section 802).
- Prescribe entry requirements and the establishment of an electronic record thereof (section 803).
- Establish the scope of the program and require the importer to retain and produce documentation pertaining to the entry of certain softwood lumber home packages and kits (section 804).