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## DEPARTMENT OF AGRICULTURE

### Office of the Secretary

#### 7 CFR Part 6

#### Adjustment of Appendices to the Dairy Tariff-Rate Import Quota Licensing Regulation for the 2008 Tariff-Rate Quota Year

**AGENCY:** Office of the Secretary, USDA.

**ACTION:** Final rule.

**SUMMARY:** This document sets forth the revised appendices to the Dairy Tariff-Rate Import Quota Licensing Regulation for the 2008 quota year reflecting the cumulative annual transfers from Appendix 1 to Appendix 2 for certain dairy product import licenses permanently surrendered by licensees or revoked by the Licensing Authority.

**DATES:** *Effective Date:* August 29, 2008.

**FOR FURTHER INFORMATION CONTACT:** Jorge Martinez, Dairy Import Licensing Program, Import and Trade Support Programs Division, STOP 1021, U.S. Department of Agriculture, 1400

Independence Avenue, SW., Washington, DC 20250-1021 or telephone at (202) 720-9439 or e-mail at [jorge.martinez@fas.usda.gov](mailto:jorge.martinez@fas.usda.gov).

**SUPPLEMENTARY INFORMATION:** The Foreign Agricultural Service, under a delegation of authority from the Secretary of Agriculture, administers the Dairy Tariff-Rate Import Quota Licensing Regulation codified at 7 CFR 6.20-6.37 that provides for the issuance of licenses to import certain dairy articles under tariff-rate quotas (TRQs) as set forth in the Harmonized Tariff Schedule of the United States. These dairy articles may only be entered into the United States at the low-tier tariff by or for the account of a person or firm to whom such licenses have been issued and only in accordance with the terms and conditions of the regulation.

Licenses are issued on a calendar year basis, and each license authorizes the license holder to import a specified quantity and type of dairy article from a specified country of origin. The Import and Trade Support Programs Division, Foreign Agricultural Service, U.S. Department of Agriculture, issues these licenses and, in conjunction with the U.S. Customs and Border Protection, U.S. Department of Homeland Security, monitors their use.

The regulation at 7 CFR 6.34(a) states: "Whenever a historical license (Appendix 1) is not issued to an applicant pursuant to the provisions of § 6.23, is permanently surrendered or is revoked by the Licensing Authority, the amount of such license will be

transferred to Appendix 2." Section 6.34(b) provides that the cumulative annual transfers will be published in the **Federal Register**. Accordingly, this document sets forth the revised Appendices for the 2008 tariff-rate quota year.

#### List of Subjects in 7 CFR Part 6

Agricultural commodities, Cheese, Dairy products, Imports, Reporting and recordkeeping requirements.

Issued at Washington, DC, the 20th day of June 2008.

**Ronald Lord,**  
*Licensing Authority.*

■ Accordingly, 7 CFR Part 6 is amended as follows:

#### PART 6—IMPORT QUOTAS AND FEES

■ 1. The authority citation for Part 6, Subpart—Dairy Tariff-Rate Import Quota Licensing continues to read as follows:

**Authority:** Additional U.S. Notes 6, 7, 8, 12, 14, 16-23 and 25 to Chapter 4 and General Note 15 of the Harmonized Tariff Schedule of the United States (19 U.S.C. 1202), Pub. L. 97-258, 96 Stat. 1051, as amended (31 U.S.C. 9701), and secs. 103 and 404, Pub. L. 103-465, 108 Stat. 4819 (19 U.S.C. 3513 and 3601).

■ 2. Appendices 1, 2 and 3 to Subpart—Dairy Tariff-Rate Import Quota Licensing are revised to read as follows:

#### Appendices 1, 2 and 3 to Subpart—Dairy Tariff-Rate Import Quota Licensing

ARTICLES SUBJECT TO: APPENDIX 1, HISTORICAL LICENSES; APPENDIX 2, NONHISTORICAL LICENSES; AND APPENDIX 3, DESIGNATED IMPORTER LICENSES FOR QUOTA YEAR 2008

[Quantities in kilograms]

Article by Additional U.S. Note Number and Country of Origin	Appendix 1	Appendix 2	Appendix 3	
			Tokyo round	Uruguay round
NON-CHEESE ARTICLES				
BUTTER (NOTE 6) .....	5,361,732	1,615,268	.....	.....
EU-25 .....	75,918	20,243	.....	.....
New Zealand .....	116,998	33,595	.....	.....
Other Countries .....	54,504	19,431	.....	.....
Any Country .....	5,114,312	1,541,999	.....	.....
DRIED SKIM MILK (NOTE 7) .....	.....	5,261,000	.....	.....
Australia .....	.....	600,076	.....	.....
Canada .....	.....	219,565	.....	.....
Any Country .....	.....	4,441,359	.....	.....
DRIED WHOLE MILK (NOTE 8) .....	3,175	3,318,125	.....	.....
New Zealand .....	3,175	.....	.....	.....
Any Country .....	.....	3,318,125	.....	.....
DRIED BUTTERMILK/WHEY (NOTE 12) .....	12,760	212,221	.....	.....

## ARTICLES SUBJECT TO: APPENDIX 1, HISTORICAL LICENSES; APPENDIX 2, NONHISTORICAL LICENSES; AND APPENDIX 3, DESIGNATED IMPORTER LICENSES FOR QUOTA YEAR 2008—Continued

[Quantities in kilograms]

Article by Additional U.S. Note Number and Country of Origin	Appendix 1	Appendix 2	Appendix 3	
			Tokyo round	Uruguay round
Canada .....	.....	161,161	.....	.....
New Zealand .....	12,760	51,060	.....	.....
BUTTER SUBSTITUTES CONTAINING OVER PERCENT OF BUTTERFAT AND/OR BUTTER OIL (NOTE 14) .....	.....	6,080,500	.....	.....
Any Country .....	.....	6,080,500	.....	.....
TOTAL: NON-CHEESE ARTICLES .....	5,377,667	16,487,114	.....	.....
CHEESE ARTICLES				
CHEESE AND SUBSTITUTES FOR CHEESE (EXCEPT: SOFT RIPENED COW'S MILK CHEESE; CHEESE NOT CONTAINING COW'S MILK; CHEESE (EXCEPT COTTAGE CHEESE) CONTAINING 0.5 PERCENT OR LESS BY WEIGHT OF BUTTERFAT; AND, ARTICLES WITHIN THE SCOPE OF OTHER IMPORT QUOTAS PROVIDED FOR IN THIS SUBCHAPTER) (NOTE 16) .....	23,345,203	8,124,528	9,661,128	7,496,000
Argentina .....	7,690	.....	92,310	.....
Australia .....	535,628	5,542	758,830	1,750,000
Canada .....	1,013,777	127,223	.....	.....
Costa Rica .....	.....	.....	.....	1,550,000
EU-25 .....	16,147,453	7,120,203	1,132,568	3,446,000
Of which Portugal is: .....	65,838	63,471	223,691	.....
Israel .....	79,696	.....	593,304	.....
Iceland .....	294,000	.....	29,000	.....
New Zealand .....	4,443,558	371,914	6,506,528	.....
Norway .....	124,982	25,018	.....	.....
Switzerland .....	597,513	73,899	548,588	500,000
Uruguay .....	.....	.....	.....	250,000
Other Countries .....	100,906	100,729	.....	.....
Any Country .....	.....	300,000	.....	.....
BLUE-MOLD CHEESE (EXCEPT STILTON PRODUCED IN THE UNITED KINGDOM) AND CHEESE AND SUBSTITUTES FOR CHEESE CONTAINING, OR PROCESSED FROM, BLUE-MOLD CHEESE (NOTE 17) ..	2,285,947	195,054	.....	430,000
Argentina .....	2,000	.....	.....	.....
EU-25 .....	2,283,946	195,054	.....	350,000
Chile .....	.....	.....	.....	80,000
Other Countries .....	1	.....	.....	.....
CHEDDAR CHEESE, AND CHEESE AND SUBSTITUTES FOR CHEESE CONTAINING, OR PROCESSED FROM, CHEDDAR CHEESE (NOTE 18) .....	3,619,547	664,309	519,033	7,620,000
Australia .....	925,557	58,942	215,501	1,250,000
Chile .....	.....	.....	.....	220,000
EU-25 .....	52,404	210,596	.....	1,050,000
New Zealand .....	2,539,040	257,428	303,532	5,100,000
Other Countries .....	102,546	37,343	.....	.....
Any Country .....	.....	100,000	.....	.....
AMERICAN-TYPE CHEESE, INCLUDING COLBY, WASHED CURD AND GRANULAR CHEESE (BUT NOT INCLUDING CHEDDAR) AND CHEESE AND SUBSTITUTES FOR CHEESE CONTAINING OR PROCESSED FROM SUCH AMERICAN-TYPE CHEESE (NOTE 19) .....	2,744,970	420,583	357,003	.....
Australia .....	789,626	91,372	119,002	.....
EU-25 .....	145,148	208,852	.....	.....
New Zealand .....	1,657,689	104,310	238,001	.....
Other Countries .....	152,507	16,049	.....	.....
EDAM AND GOUDA CHEESE, AND CHEESE AND SUBSTITUTES FOR CHEESE CONTAINING, OR PROCESSED FROM, EDAM AND GOUDA CHEESE (NOTE 20) .....	5,230,565	375,837	.....	1,210,000
Argentina .....	110,495	14,505	.....	110,000
EU-25 .....	5,000,990	288,010	.....	1,100,000
Norway .....	114,318	52,682	.....	.....
Other Countries .....	4,762	20,640	.....	.....
ITALIAN-TYPE CHEESES, MADE FROM COW'S MILK, (ROMANO MADE FROM COW'S MILK, REGGIANO, PARMESAN, PROVOLONE, PROVOLETTI, SBRINZ, AND GOYA—NOT IN ORIGINAL LOAVES) AND CHEESE AND SUBSTITUTES FOR CHEESE CONTAINING, OR PROCESSED FROM, SUCH ITALIAN-TYPE CHEESES, WHETHER OR NOT IN ORIGINAL LOAVES (NOTE 21) .....	6,467,087	1,053,460	795,517	5,165,000
Argentina .....	3,931,157	194,326	367,517	1,890,000

ARTICLES SUBJECT TO: APPENDIX 1, HISTORICAL LICENSES; APPENDIX 2, NONHISTORICAL LICENSES; AND APPENDIX 3, DESIGNATED IMPORTER LICENSES FOR QUOTA YEAR 2008—Continued

[Quantities in kilograms]

Article by Additional U.S. Note Number and Country of Origin	Appendix 1	Appendix 2	Appendix 3	
			Tokyo round	Uruguay round
EU-25 .....	2,535,930	846,070		2,025,000
Romania .....				500,000
Uruguay .....			428,000	750,000
Other Countries .....		13,064		
SWISS OR EMMENTHALER CHEESE OTHER THAN WITH EYE FORMATION, GRUYERE-PROCESS CHEESE AND CHEESE AND SUBSTITUTES FOR CHEESE CONTAINING, OR PROCESSED FROM, SUCH CHEESES (NOTE 22) .....	5,371,777	1,279,537	823,519	380,000
EU-25 .....	4,102,587	1,049,407	393,006	380,000
Switzerland .....	1,235,692	183,795	430,513	
Other Countries .....	33,498	46,335		
CHEESE AND SUBSTITUTES FOR CHEESE, CONTAINING 0.5 PERCENT OR LESS BY WEIGHT OF BUTTERFAT (EXCEPT ARTICLES WITHIN THE SCOPE OF OTHER TARIFF-RATE QUOTAS PROVIDED FOR IN THIS SUBCHAPTER), AND MARGARINE CHEESE (NOTE 23) .....	1,879,481	2,545,437	1,050,000	
EU-25 .....	1,879,480	2,545,437		
Israel .....			50,000	
New Zealand .....			1,000,000	
Other Countries .....	1			
SWISS OR EMMENTHALER CHEESE WITH EYE FORMATION (NOTE 25) .....	16,078,683	6,218,648	9,557,945	2,620,000
Argentina .....		9,115	70,885	
Australia .....	209,698		290,302	
Canada .....			70,000	
EU-25 .....	11,198,973	5,277,855	4,003,172	2,420,000
Iceland .....	149,999		150,001	
Israel .....	27,000			
Norway .....	3,187,264	468,046	3,227,690	
Switzerland .....	1,246,164	437,941	1,745,895	200,000
Other Countries .....	59,585	25,691		
<b>TOTAL: CHEESE ARTICLES .....</b>	<b>67,023,260</b>	<b>20,877,393</b>	<b>22,764,145</b>	<b>24,921,000</b>

[FR Doc. E8-19976 Filed 8-28-08; 8:45 am]

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**DEPARTMENT OF AGRICULTURE**

**Animal and Plant Health Inspection Service**

**9 CFR Part 93**

[Docket No. APHIS-2007-0141]

**Importation of Horses, Ruminants, Swine, and Dogs; Remove Panama From Lists of Regions Where Screwworm Is Considered To Exist**

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

**ACTION:** Final rule.

**SUMMARY:** We are amending the regulations regarding the importation of live horses, ruminants, swine, and dogs by removing Panama from the lists of regions where screwworm is considered to exist. We are taking this action because the eradication of screwworm from Panama has been confirmed. This

action will relieve certain screwworm-related certification and inspection requirements for live animals imported into the United States from Panama.

**DATES:** *Effective Date:* September 29, 2008.

**FOR FURTHER INFORMATION CONTACT:** Dr. Julia Punderson, Regionalization Evaluation Services—Import, Sanitary Trade Issues Team, National Center for Import and Export, VS, APHIS, 4700 River Road Unit 38, Riverdale, MD 20737-1231; (301) 734-0757.

**SUPPLEMENTARY INFORMATION:**

**Background**

The regulations in 9 CFR part 93 (referred to below as the regulations), prohibit or restrict the importation of certain animals into the United States to prevent the introduction of pests and diseases of livestock and poultry, including New World screwworm (*Cochliomyia hominivorax*).

Screwworm, a pest native to tropical areas and currently found in South America and the Caribbean, causes extensive damage to livestock and other

warm-blooded animals. Subparts C, D, E, and F of the regulations govern the importation of horses, ruminants, swine, and dogs, respectively, and include provisions for the inspection and treatment of these animals if imported from any region of the world where screwworm is considered to exist. Sections 93.301, 93.405, 93.505, and 93.600 list all the regions of the world where screwworm is considered to exist.

On May 16, 2008, we published in the **Federal Register** (73 FR 28382-28385, Docket No. APHIS-2007-0141) a proposal<sup>1</sup> to amend the regulations regarding live horses, ruminants, swine, and dogs by removing Panama from the lists of regions where screwworm is considered to exist in §§ 93.301, 93.405, 93.505, and 93.600.

We solicited comments concerning our proposal for 60 days ending July 15, 2008. We received one comment by that

<sup>1</sup> To view the proposed rule and the comment we received, go to <http://www.regulations.gov/fdmspublic/component/main?main=DocketDetail&d=APHIS-2007-0141>.