30-day issuance period only after the third inspection of a herd or flock as part of a regular health maintenance program. Following the first two inspections of a herd or flock as part of a regular health maintenance program, we are proposing to allow accredited veterinarians to issue official animal health documents for only 10 days after inspection.

For all animals not part of a regular health maintenance program, we are proposing to allow accredited veterinarians to issue official animal health documents for up to 10 days following inspection. We believe that providing accredited veterinarians with an additional 3 days following inspection to issue relevant official animal health documents will give them greater flexibility without presenting a significant increase in disease risk.

Finally, we are proposing to require that all official animal health documents be valid for only 30 days following the date of inspection, regardless of the date of issuance. We would require accredited veterinarians to indicate both the date of issuance and the date of expiration on all official animal health documents.

Miscellaneous

We are also proposing to revise the regulations under §§ 160.1 and 161.3 (a), (b), (c), and (k) for the sake of clarity. Currently, the regulations in these sections require that various conditions be met any time an accredited veterinarian "issue[s] or sign[s] any certificate, form, record or report' reflecting the health of an animal. However, "issue" is not defined in the regulations. We are proposing to define "issue" as follows: "The distribution by an accredited veterinarian of an official animal health document that he or she has signed.'

Also, because under the proposed definition, "issuance" entails distributing a signed official animal health document, to avoid redundancy we are proposing to delete the word "sign" from § 161.3 (a), (b), (c), and (k). Moreover, we are proposing to remove "sign" from these sections because the phrase "issue or sign" implies that accredited veterinarians could issue an animal health document without signing it.

Executive Order 12866 and Regulatory Flexibility Act

This proposed rule has been reviewed under Executive Order 12866. The rule has been determined to be not significant for purposes of Executive Order 12866 and, therefore, has not

been reviewed by the Office of Management and Budget.

We are proposing to amend the regulations to allow, under certain conditions, accredited veterinarians to issue official animal health documents for animals in herds or flocks under regular health maintenance programs for up to 30 days after inspection. For inspection of other animals, we are proposing to allow up to 10 days between the inspection of animals and the issuance of official animal health documents.

Currently, under § 161.3(a), we require accredited veterinarians, when issuing or signing a certificate, form, record, or report regarding any animal, to have inspected the animal within 7 days. This requirement places an economic burden on large livestock facilities that sell and ship animals continuously. That is, large livestock facilities must have their animals inspected frequently, in order for veterinarians to issue, in a timely manner, the health documents required for the frequent sale and shipment of animals. Such frequent visits can be expensive.

If veterinarians were allowed additional time to issue official animal health documents following inspection, they could inspect animals less frequently. Therefore, primarily, this proposal would economically benefit large livestock facilities.

Under these circumstances, the Administrator of the Animal and Plant Health Inspection Service has determined that this action would not have a significant economic impact on a substantial number of small entities.

Executive Order 12372

This program/activity is listed in the Catalog of Federal Domestic Assistance under No. 10.025 and is subject to Executive Order 12372, which requires intergovernmental consultation with State and local officials. (See 7 CFR part 3015, subpart V.)

Executive Order 12778

This proposed rule has been reviewed under Executive Order 12778, Civil Justice Reform. If this proposed rule is adopted: (1) All State and local laws and regulations that are in conflict with this rule will be preempted; (2) no retroactive effect will be given to this rule; and (3) administrative proceedings will not be required before parties may file suit in court challenging this rule.

Paperwork Reduction Act

In accordance with the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.), the information collection or

recordkeeping requirements included in this rule have been approved by the Office of Management and Budget (OMB) under OMB control number 0579-0032 and there are no new requirements.

List of Subjects

9 CFR Part 160

Veterinarians.

9 CFR Part 161

Reporting and recordkeeping requirements.

Accordingly, 9 CFR parts 160 and 161 would be amended as follows:

PART 160—DEFINITION OF TERMS

1. The authority citation for part 160 would continue to read as follows:

Authority: 15 U.S.C. 1828; 21 U.S.C. 105, 111-114, 114a, 114a-1, 115, 116, 120, 121, 125, 134b, 134f, 612, and 613; 7 CFR 2.17, 2.51, and 371.2(d).

Section 160.1 would be amended by adding, in alphabetical order, the following definitions:

§160.1 Definitions.

Issue. The distribution by an accredited veterinarian of an official animal health document that he or she has signed.

Regular health maintenance program. An arrangement between an accredited veterinarian and a livestock producer whereby the veterinarian inspects every animal on the premises of the producer at least once every 30 days.

PART 161—REQUIREMENTS AND STANDARDS FOR ACCREDITED VETERINARIANS AND SUSPENSION OR REVOCATION OF SUCH **ACCREDITATION**

3. The authority citation for part 161 would continue to read as follows:

Authority: 15 U.S.C. 1828; 21 U.S.C. 105, 111-114, 114a, 114a-1, 115, 116, 120, 121, 125, 134b, 134f, 612, and 613; 7 CFR 2.17, 2.51, and 371.2(d).

- 4. Section 161.3 would be amended as follows:
- a. By revising paragraphs (a) and (b) to read as set forth below.
- b. In paragraph (c), by removing the
- phrase "or sign" in the first sentence. c. In paragraph (k), by removing the phrase "or sign" in the first sentence.

§ 161.3 Standards for accredited veterinarian duties.

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