Rules and Regulations

Federal Register

Vol. 60, No. 4

Friday, January 6, 1995

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

DEPARTMENT OF AGRICULTURE

Office of the Secretary

7 CFR Part 6

Dairy Tariff-Rate Import Quota Licensing

AGENCY: Office of the Secretary, USDA. **ACTION:** Interim rule.

SUMMARY: This rule amends Import Regulation 1, Revision 7 which governs the administration of the import licensing system for certain dairy products which will be subject to inquota tariff rates proclaimed in the Harmonized Tariff Schedule of the United States (HTS), resulting from entry into force of the Uruguay Round Agreement on January 1, 1995. Most of these products were subject to quotas proclaimed under section 22 of the Agricultural Adjustment Act of 1933, as amended (Section 22).

DATES: This interim rule will be effective on January 1, 1995. Comments should be submitted on or before February 21, 1995 to be assured of consideration.

ADDRESSES: Comments should be sent to Richard Warsack, Dairy Import Quota Manager, Import Policies and Programs Division, Room 5531-S, Foreign Agricultural Service, U.S. Department of Agriculture, 14th and Independence Avenue, SW., Washington, DC 20250-1000. All comments received will be available for public inspection in room 5541-S at the above address.

FOR FURTHER INFORMATION CONTACT:

Diana Wanamaker, Group Leader, Import Programs Group, Import Policies and Programs Division, Room 5531-S, Foreign Agricultural Service, U.S. Department of Agriculture, 14th and Independence Avenue, SW., Washington, DC 20250, or telephone (202) 720-2916.

SUPPLEMENTARY INFORMATION:

Executive Order 12866

This interim rule is issued in conformance with Executive Order 12866. It has been determined to be significant for the purposes of E.O. 12866 and, therefore, has been reviewed by the Office of Management and Budget (OMB).

Regulatory Flexibility Act

It has been determined that the Regulatory Flexibility Act is not applicable to this interim rule since the Office of the Secretary is not required by 5 U.S.C. 553 or any other provision of law to publish a notice of proposed rulemaking with respect to the subject matter of this rule.

Executive Order 12372

This program is not subject to the provisions of Executive Order 12372, which requires intergovernmental consultation with State and local officials. See notice related to 7 CFR part 3015, subpart V, published at 48 FR 29115 (June 24, 1983).

Environmental Evaluation

It has been determined by an environmental evaluation that this action will not have a significant impact on the quality of the human environment. Therefore, neither an Environmental Assessment nor an **Environmental Impact Statement is** needed.

Paperwork Reduction Act

This Interim Final Rule amends the existing information collection as approved by the Office of Management and Budget (OMB) pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et. seq.), under OMB control number 0551-0001, expiring June 30, 1997.

Due to the time constraints of implementing the rule immediately, the agency has requested emergency clearance of this addendum from OMB. Comments on the information collection may be sent to the Office of Information and Regulatory Affairs, Office of Management and Budget, Room 10202, NEOB, Washington, DC 20503. Attention: Desk Officer for USDA.

Executive Order 12778

This interim rule has been reviewed under Executive Order 12778. The

provisions of this interim rule would have preemptive effect with respect to any state or local laws, regulations, or policies which conflict with such provisions or which otherwise impede their full implementation. The rule would not have retroactive effect.

Background

An Advance Notice of Proposed Rulemaking (the ANPR) was published in the **Federal Register** on June 2, 1994, seeking suggestions and comments on methods for allocating imported dairy products subject to the in-quota tariff rates to be proclaimed in the HTS as a result of the entry into force of the Uruguay Round Agreement. The ANPR also sought suggestions on various other changes intended to update and make more enforceable the provisions of Import Regulation 1, Revision 7, codified at 7 CFR §§ 6.20-6.24 (the Import Regulation). Because of time constraints this rule will deal only with modifications of the existing rule necessary to implement the U.S. Uruguay Round commitments and will become effective January 1, 1995. A proposed rule making further changes as envisaged in the ANPR will be published in the future.

This interim rule issues the Import Regulation under the authority of section 111 of the Uruguay Round Agreements Act and Chapter 4 and General Note 15 of the Harmonized Tariff Schedule of the United States (HTS), and amends that regulation to establish the import licensing system for the quantities of cheese and certain other dairy products subject to in-quota tariff rates in the HTS. These quantities include both the quantities which have been subject to an absolute quota under Section 22 as well as the additional quantities of cheese articles and certain non-cheese articles negotiated under the Uruguay Round of multilateral trade negotiations. Certain Uruguay Round country tariff-rate quotas or increments do not appear in Appendix 3 of this regulation as they will only take effect when those countries implement their respective schedules of concessions. The interim rule also establishes new eligibility requirements and allocation methods for the new quantities of noncheese items. In addition, it deletes obsolete provisions and updates all the references in the regulation to the HTS