

to paragraph (a)(6) of § 917.459 include the Fancy Lady, Snow Ball, and Sugar Lady peach varieties. Those peach varieties which were inadvertently left in the variety-specific size requirement at paragraph (a)(6) of § 917.459 and are being removed include the July Lady, Red Cal, and Redglobe peach varieties. The Sugar Giant peach variety should also be added to the variety-specific size requirement in paragraph (a)(6) of § 917.459. This variety was recommended to be added by the PCC in 1996 and was inadvertently left out of the interim final rule.

Further, this rule revises paragraph (a)(6) of § 917.459 by changing the name of the peach variety, Red Boy. The exclusive handler of this peach variety changed the name in the 1995 season. For that reason, the name of the Red Boy peach variety is changed to Red Dancer.

This rule reflects the committees' and the Department's appraisal of the need to revise the handling requirements for California nectarines and peaches, as specified. The Department's determination is that this rule will have a beneficial impact on producers, handlers, and consumers of California nectarines and peaches.

This rule establishes handling requirements for fresh California nectarines and peaches consistent with expected crop and market conditions, and will help ensure that all shipments of these fruits made each season will meet acceptable handling requirements established under each of these orders. This rule will also help the California nectarine and peach industries provide fruit desired by consumers. This rule is designed to establish and maintain orderly marketing conditions for these fruits in the interest of producers, handlers, and consumers. Therefore, the Administrator of the AMS has determined that this rule will not have a significant economic impact on a substantial number of small entities.

After consideration of all relevant matters presented, the information and recommendations submitted by the committees, and other information, it is found that the rule, as hereinafter set forth, will tend to effectuate the declared policy of the Act.

#### List of Subjects

##### 7 CFR Part 916

Marketing agreements, Nectarines, Reporting and recordkeeping requirements.

##### 7 CFR Part 917

Marketing agreements, Peaches, Pears, Reporting and recordkeeping requirements.

Accordingly, the interim final rule amending 7 CFR parts 916 and 917 which was published at 61 FR 13386 on March 27, 1996, is adopted as a final rule with the following changes:

#### PART 916—NECTARINES GROWN IN CALIFORNIA

1. The authority citation for 7 CFR Part 916 continues to read as follows:

Authority: 7 U.S.C. 601–674.

##### § 916.350 [Amended]

2. In § 916.350, paragraph (c) is revised to read as follows:

##### § 916.350 California Nectarine Container and Pack Regulation.

\* \* \* \* \*

(c) Each container of nectarines in plastic, 12 × 19¾ inch reusable and recyclable containers shall meet and bear, on the container lid or on the outside end, all applicable marking requirements under the order.

##### § 916.356 [Amended]

3. In § 916.356, paragraph (a)(6) is amended by adding the name "Nectarine 23".

#### PART 917—FRESH PEARS AND PEACHES GROWN IN CALIFORNIA

1. The authority citation for 7 CFR Part 917 continues to read as follows:

Authority: 7 U.S.C. 601–674.

##### § 917.442 [Amended]

2. In § 917.442, paragraph (c) is revised to read as follows:

##### § 917.442 California Peach Container and Pack Regulation.

\* \* \* \* \*

(c) Each container of peaches in plastic, 12 × 19¾ inch reusable and recyclable containers shall meet and bear, on the container lid or on the outside end, all applicable marking requirements under the order.

##### § 917.459 [Amended]

3. In § 917.459, paragraph (a)(6) is amended by adding the names "Fancy Lady," "Red Dancer", "Snow Ball", "Sugar Giant", and "Sugar Lady", and removing the names "July Lady", "Red Boy", "Red Cal", and "Redglobe".

Dated: June 13, 1996.

Sharon Bomer Lauritsen,

*Acting Director, Fruit and Vegetable Division.*

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#### Animal and Plant Health Inspection Service

##### 9 CFR Part 92

[Docket No. 94–132–2]

#### Screening at Privately Owned Bird Quarantine Facilities

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Final rule.

**SUMMARY:** We are amending the regulations that apply to privately owned quarantine facilities for imported birds to provide for the use of nylon screening and to clarify the meaning of "double screened." These amendments will give facility operators a choice of screening materials and clarify the regulations.

**EFFECTIVE DATE:** July 22, 1996.

**FOR FURTHER INFORMATION CONTACT:** Dr. Tracie R. Butler, Staff Veterinarian, Import/Export Animals, National Center for Import and Export, VS, APHIS, 4700 River Road Unit 39, Riverdale, MD 20737–1231, (301) 734–5097.

#### SUPPLEMENTARY INFORMATION:

##### Background

The regulations in 9 CFR part 92.100 through 92.107, "Subpart A—Birds" (referred to below as "the regulations"), govern the importation of certain birds to prevent the introduction of communicable diseases of livestock and poultry. As a condition of importation, all imported birds must be quarantined for a minimum of 30 days upon their arrival in the United States. Under § 92.101(c)(2)(ii), certain personal pet birds may remain in the owner's possession during the 30-day quarantine if kept separate from other birds. In all other cases, imported birds must be quarantined in either a U.S. Department of Agriculture quarantine facility or in a privately owned quarantine facility that meets standards set forth in § 92.106(c).

The standards for privately owned quarantine facilities for imported birds include installation of screening over all openings to the outside to prevent the entry of rodents and insects, which could transmit disease. The regulations require that all screening be metal and that all openings to the outside be double-screened (see § 92.106(c)(2)(ii)(A)).

On March 12, 1996, we published in the Federal Register (61 FR 9957–9958, Docket No. 94–132–1) a proposal to amend the regulations by providing for the use of nylon screening and by clarifying the meaning of the term "double screened."

We solicited comments concerning our proposal for 60 days ending May 13, 1996. We did not receive any comments. The facts presented in the proposed rule still provide the basis for this final rule.

Therefore, based on the rationale set forth in the proposed rule, we are adopting the provisions of the proposal as a final rule without change.

Executive Order 12866 and Regulatory Flexibility Act

This rule has been reviewed under Executive Order 12866. The rule has been determined to be not significant for the purposes of Executive Order 12866 and, therefore, has not been reviewed by the Office of Management and Budget.

Our economic analysis indicates that the amendments will have little economic impact on privately owned bird quarantine facilities. Metal and nylon mesh are comparably priced. In addition, the rule adds nylon mesh as a screening option; it does not require quarantine facilities to be re-screened. We anticipate that the clarification concerning double screening will have no effect on facilities.

Under these circumstances, the Administrator of the Animal and Plant Health Inspection Service has determined that this action will 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 rule has been reviewed under Executive Order 12778, Civil Justice Reform. This rule: (1) Preempts all State and local laws and regulations that are inconsistent with this rule; (2) has no retroactive effect; and (3) does not require administrative proceedings before parties may file suit in court challenging this rule.

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 in 9 CFR Part 92

Animal diseases, Imports, Livestock, Poultry and poultry products, Quarantine, Reporting and recordkeeping requirements.

Accordingly, 9 CFR part 92 is amended as follows:

**PART 92—IMPORTATION OF CERTAIN ANIMALS AND POULTRY AND CERTAIN ANIMAL AND POULTRY PRODUCTS; INSPECTION AND OTHER REQUIREMENTS FOR CERTAIN MEANS OF CONVEYANCE AND SHIPPING CONTAINERS THEREON**

1. The authority citation for part 92 continues to read as follows:

Authority: 7 U.S.C. 1662; 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; 7 CFR 2.22, 2.80, and 371.2(d).

2. In § 92.106, paragraphs (c)(2)(ii)(A) and (c)(2)(ii)(P)(I) are revised to read as follows:

§ 92.106 Quarantine requirements.

\* \* \* \* \*

(c) \* \* \*

(2) \* \* \*

(ii) \* \* \*

(A) Be constructed only with material that can withstand continued cleaning and disinfection. All solid walls, floors, and ceilings must be constructed of impervious material. All openings to the outside must be double-screened, with an interior screen of metal or nylon mesh that is impervious to biting insects such as gnats or mosquitos, and an exterior metal screen that is rodent-proof and is made of wire, such as rabbit wire, hardware cloth, or smooth welded wire, with mesh size no larger than 1 inch x 1.5 inches (2.54 cm x 3.81 cm). The interior and exterior screens must be separated by at least 3 inches (7.62 cm);

\* \* \* \* \*

(P) \* \* \*

(I) Any of the exterior walls may be replaced by a double-screened wall set in a concrete or concrete-block curb. The double screening shall be of wire mesh or wire mesh and nylon mesh, as provided in paragraph (c)(2)(ii)(A) of this section, with the interior and exterior screens of the sun room wall separated by at least 3 inches (7.62 cm); the concrete or concrete block curb must be at least 12 inches high, impermeable to water, and able to prevent the escape of water, manure, and debris.

\* \* \* \* \*

Done in Washington, DC, this 14th day of June 1996.

Lonnie J. King,

*Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 96–15759 Filed 6–19–96; 8:45 am]

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**FARM CREDIT ADMINISTRATION**

**12 CFR Part 615**

RIN 3052–AB70

**Book-entry Procedures for Federal Agricultural Mortgage Corporation Securities**

AGENCY: Farm Credit Administration.

ACTION: Final rule.

**SUMMARY:** The Farm Credit System Reform Act of 1996 (1996 act) provides that the Federal Agricultural Mortgage Corporation (Farmer Mac) shall have access to the Federal Reserve Banks' book-entry system (Fed book-entry system). The Farm Credit Administration (FCA) is issuing a final rule authorizing the issuance of Farmer Mac securities in book-entry format. Farmer Mac will use the Fed book-entry system in connection with the issuance and settlement of its unsecured debt securities and its guaranteed securities using substantially the same procedures used by all other Government-sponsored enterprises (GSEs).

**EFFECTIVE DATE:** June 13, 1996.

**FOR FURTHER INFORMATION CONTACT:** Larry W. Edwards, Director, Office of Secondary Market Oversight, Farm Credit Administration, McLean, VA 22102–5090, (703) 883–4051.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

Section 105 of the 1996 act amends sections 8.3(d) and (e) of the Farm Credit Act of 1971, as amended (act), to require that Farmer Mac have access to the Fed book-entry system and that the Federal Reserve Banks Act as depositories for, and as fiscal agents of, Farmer Mac.<sup>1</sup> Congress mandated Farmer Mac's access to the Fed book-entry system as part of a broad-based reform of Farmer Mac's charter and statutory authority. Among other reform measures, the 1996 Act liberalized Farmer Mac's charter to allow it to pool loans in a fashion similar to such other GSEs as the Federal National Mortgage Association (Fannie Mae) and the Federal Home Loan Mortgage Corporation (Freddie Mac), which operate in the secondary market for mortgage-backed securities. To facilitate Farmer Mac's use of its new authority and to help it meet its new responsibilities, Congress amended the act to "streamline Farmer Mac's business operations," including "providing for Farmer Mac's access to

<sup>1</sup> Pub. L. 104–105 (Feb. 10, 1996), 110 Stat. 163–64. 12 U.S.C. 2279aa–3(d)–(e).