

grossly observable lesions, and (when included) greater than 20 percent of the chickens in group 4 must develop grossly observable lesions.

(5) For a valid test to be considered satisfactory, at least 80 percent of the chickens in group 1 must remain free of grossly observable lesions. The appropriate product claim resulting from a satisfactory test would be to aid in the prevention of Marek's disease, for vaccines containing only a Serotype 3 virus as the Marek's disease fraction, or to aid in the prevention of very virulent Marek's disease, for all other vaccines.

(d) *Test requirements for release.* Each serial and subserial shall meet the applicable requirements prescribed in § 113.300. The identity test required in § 113.300(c) shall be conducted in a serotype-specific manner by a method acceptable to APHIS. Final container samples of completed product shall also meet the requirements in paragraphs (d) (1), (2), and (3) of this section. Any serial or subserial found unsatisfactory by a prescribed test shall not be released.

(1) *Purity test.* The chicken embryo inoculation test prescribed in § 113.37 shall be conducted, except that, if the test is inconclusive because of a vaccine virus override, the chicken inoculation test prescribed in § 113.36 may be conducted and the virus judged accordingly.

(2) *Safety test.* At least 25 one-day-old, specific pathogen free chickens shall be injected, by the subcutaneous route, with the equivalent of 10 chicken doses of virus (vaccine concentrated 10X). The chickens shall be observed each day for 21 days. Chickens dying during the period shall be examined, cause of death determined, and the results recorded.

(i) If at least 20 chickens do not survive the observation period, the test is inconclusive.

(ii) If lesions of any disease or cause of death are directly attributable to the vaccine, the serial is unsatisfactory.

(iii) If less than 20 chicks survive the observation period and there are no deaths or lesions attributable to the vaccine, the test may be repeated one time, *Provided*, that if the test is not repeated, the serial shall be declared unsatisfactory.

(3) *Potency test.* The samples shall be titrated using a cell culture system or other titration method acceptable to APHIS. For vaccines composed of more than one Marek's disease virus serotype, each fraction shall be titrated in a serotype-specific manner.

(i) Samples of desiccated vaccine shall be incubated at 37°C for 3 days before preparation for use in the

potency test. Samples of desiccated or frozen vaccine shall be reconstituted in diluent according to the label recommendations, and held in an ice bath at 0°C to 4°C for 2 hours prior to use in the potency test.

(ii) For a serial or subserial to be eligible for release, each serotype contained in the vaccine shall have a virus titer per dose which is at least 3 times greater than the number of plaque forming units (pfu) used in the immunogenicity test prescribed in paragraph (c) of this section, but not less than 1000 pfu per dose.

(iii) When tested (without the pretest incubation of desiccated products) at any time within the expiration period, each serotype contained in the vaccine shall have a virus titer per dose which is at least 2 times the number of pfu used in the immunogenicity test, but not less than 750 pfu per dose.

Done in Washington, DC, this 25th day of June 1996.

Donald W. Luchsinger,
Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 96-16710 Filed 6-28-96; 8:45 am]

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FEDERAL DEPOSIT INSURANCE CORPORATION

12 CFR Part 324

RIN 3067-AB77

Agricultural Loan Loss Amortization

AGENCY: Federal Deposit Insurance Corporation (FDIC).

ACTION: Final rule.

SUMMARY: As part of the FDIC's systematic review of its regulations and written policies under section 303(a) of the Riegle Community Development and Regulatory Improvement Act of 1994 (CDRI), the FDIC is removing its regulation governing agricultural loan loss amortization. This action is needed to eliminate the regulation when it becomes obsolete on January 1, 1999.

EFFECTIVE DATE: January 1, 1999.

FOR FURTHER INFORMATION CONTACT:

Robert W. Walsh, Manager, Planning and Program Development, (202) 898-6896, Division of Supervision; Susan van den Toorn, Counsel, (202) 898-8707, Legal Division, FDIC, 550 17th Street, N.W., Washington, D.C. 20429.

SUPPLEMENTARY INFORMATION: The FDIC is conducting a systematic review of its regulations and written policies. Section 303(a) of the CDRI (12 U.S.C. 4803(a)) requires each federal banking agency to streamline and modify its regulations

and written policies in order to improve efficiency, reduce unnecessary costs, and eliminate unwarranted constraints on credit availability. Section 303(a) also requires each federal banking agency to remove inconsistencies and outmoded and duplicative requirements from its regulations and written policies.

As part of this review, the FDIC is removing 12 CFR part 324. This action is appropriate because the regulation implemented legislation which permitted agricultural banks to amortize qualified agricultural loan losses incurred only between 1984 and 1991 with a resulting amortization period not to exceed seven years. Consequently, this regulation will become obsolete at the end of the permissible amortization period. Therefore, the FDIC is eliminating the rule effective January 1, 1999. The Office of the Comptroller of the Currency (OCC), as part of its Regulation Review Program, has previously reviewed its regulation on Agricultural Loan Loss Amortization, 12 CFR part 35, and determined that the regulation becomes obsolete on January 1, 1999. The OCC issued a proposed rule on February 8, 1995 (60 FR 7467) and a final rule on May 24, 1995 (60 FR 27401) to remove its regulation on January 1, 1999. The Federal Reserve Board (FRB) has under consideration a similar proposal with regard to 12 CFR 208.15.

Title VIII of the Competitive Equality Banking Act of 1987 (Act), Pub. L. 100-86, 101 Stat. 635 (1987), added 12 U.S.C. 1823(j) in an attempt to alleviate some of the financial pressures then facing agricultural banks. In particular, 12 U.S.C. 1823(j) permits an agricultural bank to amortize over a period not to exceed seven years: (1) Any loss on a qualified agricultural loan that the bank would otherwise be required to show on its annual financial statement for any year between December 31, 1983, and January 1, 1992; and (2) any loss resulting from the reappraisal of property that the bank owned or acquired between January 1, 1983, and January 1, 1992, in connection with a qualified agricultural loan. The FDIC implemented this statutory provision by promulgating 12 CFR part 324 with a final rule published on November 2, 1987 (52 FR 41968). Pursuant to section 1823(j)(3) of the Act, the OCC and the FRB issued substantively similar regulations. See, 12 CFR part 35 and 12 CFR 208.15 respectively.

Because the statute requires that a loss occur on or before December 31, 1991, to qualify, and that the amortization period may not exceed seven years, the program becomes obsolete on January 1,

1999. Reflecting this fact, the FDIC's rule requires that loans under the program must be fully amortized by December 31, 1998. 12 CFR 324.3(b).

In light of the statutory termination of the agricultural loan loss amortization program, the FDIC is removing 12 CFR part 324, effective January 1, 1999, to obviate the need for any regulatory action in the future. Prior to that date, an annotation to part 324 in title 12 of the Code of Federal Regulations would indicate the effective date for removal of the part.

Exemption from Public Notice and Comment

The FDIC believes that it is unnecessary to seek public comment on this rule because the agricultural loan loss amortization program becomes obsolete by operation of law on January 1, 1999. Accordingly, the rule is being adopted in final, rather than proposed, form with a protracted effective date that will coincide with cessation of the statutory program.

Regulatory Flexibility Act

Pursuant to section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 605(b)), the FDIC hereby certifies that this regulation will not have a significant economic impact on a substantial number of small entities because only three institutions are affected. Accordingly, a regulatory flexibility analysis is not required. This regulation has no material impact on insured depository institutions and state nonmember banks, regardless of size.

Paperwork Reduction Act

The collection of information contained in 12 CFR 324.7 has been approved by the Office of Management and Budget (OMB) under OMB Control Number 3064-0091. This final rule will remove as unnecessary, for the reasons set forth in the preamble, that collection of information effective January 1, 1999.

List of Subjects in 12 CFR Part 324

Accounting, Agriculture, Banks, Banking, State nonmember banks, Reporting and recordkeeping requirements.

Authority and Issuance

For the reasons set out in the preamble, and under the authority of 12 U.S.C. 1823(j), chapter III of title 12 of the Code of Federal Regulations is amended as follows:

PART 324—[REMOVED]

1. Part 324 is removed effective January 1, 1999.

By Order of the Board of Directors.

Dated at Washington, D.C., this 17th day of June, 1996.

Federal Deposit Insurance Corporation.

Robert E. Feldman,

Deputy Executive Secretary.

[FR Doc. 96-16724 Filed 6-28-96; 8:45 am]

BILLING CODE 6714-01-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 96-ANM-004]

Amendment of Class E Airspace; Jackson, WY

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends Jackson, Wyoming, Class E airspace by providing additional controlled airspace to accommodate a Global Positioning System (GPS) Standard Instrument Approach Procedure (SIAP) to the Jackson Hole Airport. A correction is made herein clarifying that the intent of this rulemaking action is to amend existing Class E airspace rather than establish Class E airspace as was stated in the notice of proposed rulemaking action. A minor correction is also being made to the geographic position coordinates of the Jackson Hole Airport. **EFFECTIVE DATE:** 0901 UTC, October 10, 1996.

FOR FURTHER INFORMATION CONTACT:

James C. Frala, Operations Branch, ANM-532.4, Federal Aviation Administration, Docket No. 96-ANM-004, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone number: (206) 227-2535.

SUPPLEMENTARY INFORMATION:

History

On April 22, 1996, the FAA proposed to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) to amend Class E airspace at Jackson, Wyoming, by providing additional controlled airspace to accommodate a new GPS SIAP to the Jackson Hole Airport (61 FR 17606). A correction is made herein clarifying that the intent of this action is to amend existing Class E airspace rather than establish Class E airspace as was stated in the notice of proposed rulemaking action. A minor correction is also being made to the geographical position coordinates of the Jackson Hole Airport.

Interested parties were invited to participate in the rulemaking

proceeding by submitting written comments on the proposal. No comments were received.

The coordinates for this airspace docket are based on North American Datum 83. Class E airspace areas extending upward from 700 feet or more above the surface of the earth are published in paragraph 6005 of FAA Order 7400.9C dated August 17, 1995, and effective September 16, 1995, which is incorporated by reference in 14 CFR 71.1. The Class E airspace listed in this document will be published subsequently in the Order.

The Rule

This amendment to part 71 of Federal Aviation Regulations amends Class E airspace at Jackson, Wyoming. The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore, (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

In consideration of the foregoing, the FAA amends 14 CFR part 71 as follows:

PART 71—[AMENDED]

1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389; 14 CFR 11.69.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9C, Airspace Designations and Reporting Points, dated August 17, 1995, and effective September 16, 1995, is amended as follows:

Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.

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