

Program Agreement. Cooperating Sponsors must submit reports on Form CCC-621 and submit the first report by May 16 for agreements signed during the period, October 1 through March 31, or by November 16 for agreements signed during the period, April 1 through September 30. The first report must cover the time period from the date of signing and subsequent reports must be provided at six months intervals covering the period from the due date of the last report until all funds generated from commodity sales have been distributed and such distribution reported to FAS. The report must contain the following information and include both local currency amounts and U.S. dollar equivalents:

- (i) Quantity and type of commodities sold;
- (ii) Proceeds generated from the sale;
- (iii) Proceeds deposited to the special account including the date of deposit;
- (iv) Interest earned on the special account;
- (v) Disbursements from the special account, including date, amount and purpose of the disbursement; and
- (vi) Any balance carried forward in the special account from the previous reporting period.

(4) The Cooperating Sponsor shall furnish FAS such additional information and reports relating to this agreement as FAS may reasonably request.

**§ 1599.16 What are the Cooperating Sponsor's audit requirements?**

Non-governmental Cooperating Sponsors are subject to the audit requirements of OMB Circular A-133 as implemented in USDA by 7 CFR part 3052, "Audits of States, Local Governments, and Non-Profit Organizations." The Cooperating Sponsor is also responsible for auditing the activities of recipient agencies that receive more than \$25,000 of provided commodities or sale proceeds. This responsibility may be satisfied by relying upon independent audits of the recipient agency or upon a review conducted by the Cooperating Sponsor.

**§ 1599.17 When may FAS suspend a program?**

All or any part of the assistance provided under a Program Agreement, including commodities in transit, may be suspended by FAS if:

- (a) The Cooperating Sponsor fails to comply with the provisions of the Program Agreement or this part;
- (b) FAS determines that the continuation of such assistance is no longer necessary or desirable; or
- (c) FAS determines that storage facilities are inadequate to prevent

spoilage or waste, or that distribution of commodities will result in substantial disincentive to, or interference with, domestic production or marketing in the recipient country.

**§ 1599.18 Are there sample documents and guidelines available for developing proposals and reports?**

FAS has developed guidelines to assist the Cooperating Sponsors with effective reporting on program logistics and commodity sales. Cooperating Sponsors may obtain these guidelines from the Director, PPDED.

**§ 1599.19 Has the Office of Management and Budget reviewed the paperwork and record keeping requirements contained in this part?**

The paperwork and record keeping requirements imposed by this part have been submitted to the Office of Management and Budget for review under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et. seq.*). OMB has assigned control number 0051-0039 for this information collection.

Signed June 16, 2003, in Washington, DC.  
**A. Ellen Terpstra,**

*Administrator, Foreign Agricultural Service.*  
[FR Doc. 03-15530 Filed 6-19-03; 8:45 am]

**BILLING CODE 3410-10-P**

## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

#### 9 CFR Parts 71, 82, and 94

[Docket No. 00-107-2]

RIN 0579-AB31

#### **Salmonella Enteritidis Phage-Type 4; Remove Import Restrictions and Salmonella Enteritidis Serotype Enteritidis; Remove Regulations**

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

**ACTION:** Final rule.

**SUMMARY:** We are amending the regulations to remove import restrictions on eggs (other than hatching eggs) of poultry, game birds, and other birds from regions where *Salmonella Enteritidis* phage-type 4 exists. Previously, *Salmonella Enteritidis* phage-type 4 had not been isolated in the United States; therefore, those import restrictions were necessary to help prevent *Salmonella Enteritidis* phage-type 4 from being introduced into this country. However, *Salmonella Enteritidis* phage-type 4 is now known to be present in the United States. This action eliminates restrictions on the

importation of eggs from regions where *Salmonella Enteritidis* phage-type 4 exists. We are also removing our regulations regarding poultry disease caused by *Salmonella Enteritidis* serotype *enteritidis*. These regulations are no longer enforced, and it is necessary to remove them to make our regulations consistent with our enforcement.

**EFFECTIVE DATE:** June 20, 2003.

**FOR FURTHER INFORMATION CONTACT:** Dr. Michael David, Director, Sanitary International Standards Team, National Center for Import and Export, VS, APHIS, 4700 River Road Unit 39, Riverdale, MD 20737-1231; (301) 734-3577.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

The regulations in 9 CFR part 94 (referred to below as the regulations) govern the importation of specified animals and animal products into the United States in order to prevent the introduction of various animal diseases including *Salmonella Enteritidis* phage-type 4. *S. enteritidis* phage-type 4 is one of several kinds of *Salmonella* bacteria, and it has been isolated and identified as the cause of numerous outbreaks of salmonellosis in poultry in many parts of the world. Additionally, it has become one of the most prevalent serotypes causing salmonellosis in humans. The regulations in subpart C of 9 CFR part 82 contain, in part, restrictions on trade on the interstate movement of eggs from flocks affected with *S. enteritidis* serotype *enteritidis*. *S. enteritidis* phage-type 4 is one of several strains of *S. enteritidis* serotype *enteritidis*.

On December 16, 2002, we published in the **Federal Register** (67 FR 77004-77007, Docket No. 00-107-1) a proposal to amend the regulations to remove import restrictions on eggs (other than hatching eggs) of poultry, game birds, and other birds from regions where *S. enteritidis* phage-type 4 exists. We also proposed to remove our regulations regarding poultry disease caused by *S. enteritidis* serotype *enteritidis*.

We solicited comments concerning our proposal for 60 days ending February 14, 2003. We did not receive any comments. Therefore, for the reasons given in the proposed rule, we are adopting the proposed rule as a final rule without change.

##### **Effective Date**

This is a substantive rule that relieves restriction and, pursuant to the provisions of 5 U.S.C. 533, may be made

effective less than 30 days after the publication in the **Federal Register**. This rule removes import restriction on eggs (other than hatching eggs) of poultry, game birds, and other birds from regions where *S. enteritidis* phage-type 4 exists. It also removes regulations regarding poultry diseases caused by *S. enteritidis* serotype *enteritidis*. Therefore, the Administrator of the Animal and Plant Health Inspection Service has determined that this rule should be effective upon publication in the **Federal Register**.

#### **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.

We are amending the regulations to remove import restrictions on eggs (other than hatching eggs) of poultry, game birds, and other birds from regions where *S. enteritidis* phage-type 4 exists. Previously, *S. enteritidis* phage-type 4 had not been isolated in the United States; therefore, those import restrictions were necessary to help prevent *S. enteritidis* phage-type 4 from being introduced into this country. However, *S. enteritidis* phage-type 4 is now known to be present in the United States. This action will eliminate restrictions on the importation of eggs from regions where *S. enteritidis* phage-type 4 exists. We are also removing our regulations regarding poultry disease caused by *S. enteritidis* serotype *enteritidis*. These regulations are no longer enforced, and it is necessary to remove them to make our regulations consistent with our enforcement.

The following analysis, which also serves as our cost-benefit analysis, considers the potential economic effects of this rule on domestic egg producers.

*S. enteritidis* phage-type 4 is considered to exist in all parts of the world except Canada. Under the current regulations, the importation of eggs (other than hatching eggs) from or through regions affected with *S. enteritidis* phage-type 4 is restricted, but not prohibited. However, in 1999, the last year for which relevant census information is available, the United States imported only 5.8 million dozen eggs (other than hatching eggs), which is equivalent to less than 0.1 percent of U.S. production that year. Eighty percent of these shell egg imports were from China. Imported eggs from Canada, the only region not subject to import restrictions because of its freedom from *S. enteritidis* phage-type 4, accounted

for less than 1 percent of all U.S. shell egg imports in 1999.

The United States does not export a significant amount of its egg supply. In 1999, the United States exported 117 million dozen eggs (other than hatching eggs), which is equivalent to only 2 percent of the U.S. nonhatching egg production for that year. As these figures indicate, virtually all eggs produced in the United States are consumed domestically.

After China, the United States is the world's second largest egg producer. In China and other top egg-producing countries, including Japan, India, Russia, Mexico, and France, virtually all eggs produced are consumed domestically. Combined, these 6 countries exported 122 million dozen eggs in 1999, less than 1 percent of their combined production that year. While the Netherlands exported the most eggs (226 million dozen), that region is not among the top 7 egg-producing nations. Mexico reported no egg exports between 1996 and 1999.

We expect that this rule will have little or no effect on U.S. producers, large or small, for the following reasons:

- Current restrictions on eggs (other than hatching eggs) from regions where Exotic Newcastle Disease (END) exists are quite similar to the restrictions regarding *S. enteritidis* phage-type 4 that we are removing.
- END is considered to exist in five of the top six foreign egg-producing regions. Therefore, with the exception of France, where END is not considered to exist, import restrictions on eggs will still be in place for the regions most likely to export eggs to the United States.

- Transporting eggs to the United States from foreign markets is expensive.

- Egg production in the United States is highly mechanized, which offsets potential cost advantages that foreign producers may have over U.S. producers with regard to labor wage rates.

Based on these considerations, we believe that the removal of the restrictions on the importation of eggs from regions where *S. enteritidis* phage-type 4 exists will not result in any appreciable increase in egg imports or otherwise affect domestic egg producers.

Additionally, we do not expect any impact on domestic egg producers or other poultry producers to result from our removal of the regulations regarding *S. enteritidis* serotype *enteritidis* in subpart C of part 82 and § 71.3, since these regulations are no longer enforced and have not been enforced since fiscal year 1995.

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 12988**

This final rule has been reviewed under Executive Order 12988, 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 final 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**

##### *9 CFR Part 71*

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

##### *9 CFR Part 82*

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

##### *9 CFR Part 94*

Animal diseases, Imports, Livestock, Meat and meat products, Milk, Poultry and poultry products, Reporting and recordkeeping requirements.

■ Accordingly, we are amending 9 CFR parts 71, 82, and 94 as follows:

#### **PART 71—GENERAL PROVISIONS**

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

**Authority:** 7 U.S.C. 8301–8317; 7 CFR 2.22, 2.80, and 371.4.

##### **§ 71.3 [Amended]**

- 2. Section § 71.3 is amended as follows:

■ a. In paragraph (a), by removing the words “poultry disease caused by *Salmonella enteritidis* serotype *enteritidis*,”.

■ b. By removing paragraph (c)(4) and redesignating paragraph (c)(5) as paragraph (c)(4).

#### **PART 82—EXOTIC NEWCASTLE DISEASE (END) AND CHLAMYDIOSIS**

- 3. The authority citation for part 82 continues to read as follows:

**Authority:** 7 U.S.C. 8301–8317; 7 CFR 2.22, 2.80, and 371.4.

■ 4. The heading for part 82 is revised to read as above.

#### Subpart C—[Removed]

■ 5. In part 82, subpart C (§§ 82.30 through 82.38) is removed.

### PART 94—RINDERPEST, FOOT-AND-MOUTH DISEASE, FOWL PEST (FOWL PLAGUE), EXOTIC NEWCASTLE DISEASE, AFRICAN SWINE FEVER, CLASSICAL SWINE FEVER, AND BOVINE SPONGIFORM ENCEPHALOPATHY: PROHIBITED AND RESTRICTED IMPORTATIONS

■ 6. The authority citation for part 94 continues to read as follows:

**Authority:** 7 U.S.C. 450, 7701–7772, and 8301–8317; 21 U.S.C. 136 and 136a; 31 U.S.C. 9701; 42 U.S.C. 4331 and 4332; 7 CFR 2.22, 2.80, and 371.4.

#### § 94.0 [Amended]

■ 7. Section 94.0 is amended by removing the definitions of *Salmonella enteritidis*, *Salmonella enteritidis*, *phage-type 4*, and *Salmonellosis*.

■ 8. Section 94.6 is amended as follows:

■ a. By revising the section heading to read as set forth below.

■ b. By removing paragraph (b) and redesignating paragraphs (c), (d), and (e) as paragraphs (b), (c), and (d), respectively.

■ c. In newly redesignated paragraph (b)(2), by removing the comma after the word “Administrator” and, at the end of the paragraph, by removing the word “him” and adding the words “the Administrator” in its place.

■ d. In newly redesignated paragraph (b)(6), in the first sentence, by removing the words “paragraph (c)” and adding the words “paragraphs (b)(1) through (b)(5)” in their place and by removing the words “, Veterinary Services”, and, in the third sentence, by removing the words “paragraph (e)” and adding the words “paragraph (d)” in their place.

■ e. In newly redesignated paragraph (c), by revising the paragraph heading, the introductory text, and footnote 6 to read as set forth below.

■ f. In newly redesignated paragraph (c)(1)(ix)(C)(1), footnote 7, by removing the words “Operational Support,” and adding the words “National Animal Health Policy Programs,” in their place.

■ g. In newly redesignated paragraph (c)(1)(ix)(C)(2), in the last sentence, by removing the word “VVND” and adding the word “END” in its place.

■ h. By removing newly redesignated paragraph (c)(1)(x).

■ i. In newly redesignated paragraph (c)(2), in the last sentence, by removing

the words “or *S. enteritidis*, phage-type 4,”.

■ j. In newly redesignated paragraph (c)(3), by removing the words “or *S. enteritidis*, phage-type 4,” both times they occur, and by removing the words “paragraph (e)” and adding the words “paragraph (d)” in their place.

■ k. In newly redesignated paragraph (c)(4), by removing the words “or *S. enteritidis*, phage-type 4,” both times they occur, and by removing the words “paragraph (e)” and adding the words “paragraph (d)” in their place.

**§ 94.6 Carcasses, parts or products of carcasses, and eggs (other than hatching eggs) of poultry, game birds, or other birds; importations from regions where exotic Newcastle disease is considered to exist.**

\* \* \* \* \*

(c) *Eggs (other than hatching eggs) from regions where END is considered to exist.* Eggs (other than hatching eggs<sup>6</sup>) from poultry, game birds, or other birds may be imported only in accordance with this section if they: Are laid by poultry, game birds, or other birds that are raised in any region where END is considered to exist (*see* paragraph (a) of this section); are imported from any region where END is considered to exist; or are moved into or through any region where END is considered to exist at any time before importation or during shipment to the United States.

\* \* \* \* \*

Done in Washington, DC, this 16th day of June, 2003.

**Bobby R. Acord,**

*Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 03–15623 Filed 6–19–03; 8:45 am]

**BILLING CODE 3410–34–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2002–NE–43–AD; Amendment 39–13199; AD 2003–12–14]

**RIN 2120–AA64**

### Airworthiness Directives; Turbomeca S.A. Arriel 1 Turboshaft Engines

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that is applicable to Turbomeca S.A. Arriel 1

<sup>6</sup> The requirements for importing hatching eggs are contained in part 93 of this chapter.

series turboshaft engines. This amendment requires initial and repetitive visual inspections for ingestive erosion, and cleaning if necessary, of M02 and M03 modules. This amendment is prompted by reports from the manufacturer of an unbalance due to accumulation of dust in the M03 module. The actions specified by this AD are intended to prevent an unbalance of the gas generator rotating assembly which may lead to deterioration of the gas generator rear bearing and uncommanded engine shutdown.

**DATES:** Effective July 25, 2003.

**ADDRESSES:** Information regarding this action may be examined, by appointment, at the Federal Aviation Administration (FAA), New England Region, Office of the Regional Counsel, 12 New England Executive Park, Burlington, MA.

**FOR FURTHER INFORMATION CONTACT:** Antonio Cancelliere, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803–5299; telephone (781) 238–7751; fax (781) 238–7199.

**SUPPLEMENTARY INFORMATION:** A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that is applicable to Turbomeca S.A. Arriel 1 series turboshaft engines was published in the **Federal Register** on February 12, 2003 (68 FR 7084). That action proposed to require initial and repetitive visual inspections for ingestive erosion, and cleaning if necessary, of M02 and M03 modules.

#### Comments

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comments received.

Three comments were made by the manufacturer.

#### Request To Change the Prompted By Statement

In the first comment, the manufacturer requests that the FAA change the “prompted by” statement in the Summary to more accurately describe the module of the engine that is affected by the unbalance due to the accumulation of ingested dust. The manufacturer requests that the “prompted by” statement be changed in the AD to remove the words “\* \* \* ingestive erosion of M02 and M03 modules” and that they be replaced with “\* \* \* an unbalance due to the