

revise established criteria that determine the producer milk that has a reasonable association with—and consistently serves the fluid needs of—the Pacific Northwest milk marketing area and is not associated with other marketwide pools concerning the same milk. Criteria for pooling are established on the basis of performance levels that are considered adequate to meet the Class I fluid needs and by doing so determine those that are eligible to share in the revenue that arises from the classified pricing of milk. Criteria for pooling are established without regard to the size of any dairy industry organization or entity. The established criteria are applied in an identical fashion to both large and small businesses and do not have any different economic impact on small entities as opposed to large entities. Therefore, the proposed amendment will not have a significant economic impact on a substantial number of small entities.

Prior documents in this proceeding:
Notice of Hearing: Issued February 26, 2002; published March 4, 2002 (67 FR 9622).

Correction to Notice of Hearing: Issued March 14, 2002; published March 19, 2002 (67 FR 12488).

Tentative Final Decision: Issued August 8, 2003; published August 18, 2003 (68 FR 49375).

Findings and Determinations

The findings and determinations hereinafter set forth supplement those that were made when the Pacific Northwest order was first issued and when it was amended. The previous findings and determinations are hereby ratified and confirmed, except where they may conflict with those set forth herein.

The following findings are hereby made with respect to the Mideast order:

(a) *Findings upon the basis of the hearing record*. Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Pacific Northwest marketing area.

Upon the basis of the evidence introduced at such hearing and the record thereof it is found that:

(1) The Pacific Northwest order, as hereby amended on an interim basis, and all of the terms and conditions

thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the order, as hereby amended on an interim basis, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The Pacific Northwest order, as hereby amended on an interim basis, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional Findings*. It is necessary and in the public interest to make these interim amendments to the Pacific Northwest order effective February 1, 2004. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the aforesaid marketing area.

The interim amendments to this order are known to handlers. The final decision containing the proposed amendments to this order was issued on August 8, 2003.

The changes that result from these interim amendments will not require extensive preparation or substantial alteration in the method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making these interim order amendments effective on February 1, 2004. It would be contrary to the public interest to delay the effective date of these amendments for 30 days after their publication in the **Federal Register**. (Sec. 553(d), Administrative Procedure Act, 5 U.S.C. 551–559.)

(c) *Determinations*. It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in § 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the specified marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this interim order amending the Pacific Northwest order is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as hereby amended;

(3) The issuance of the interim order amending the Pacific Northwest order is

avored by at least two-thirds of the producers who were engaged in the production of milk for sale in the marketing area.

List of Subjects in 7 CFR Part 1124

Milk marketing orders.

Order Relative to Handling

■ *It is therefore ordered*, that on and after the effective date hereof, the handling of milk in the Pacific Northwest marketing area shall be in conformity to and in compliance with the terms and conditions of the order, as amended, and as hereby further amended on an interim basis, as follows:

The authority citation for 7 CFR part 1124 reads as follows:

Authority: 7 U.S.C. 601–674.

PART 1124—MILK IN THE PACIFIC NORTHWEST MARKETING AREA

- 1. Section 1124.13 is amended by:
- a. Revising the introductory text; and
- b. Adding a new paragraph (f).

The revision and addition read as follows:

§ 1124.13 Producer milk.

Except as provided for in paragraph (f) of this section, *Producer milk* means the skim milk (or skim milk equivalent of components of skim milk), including nonfat components, and butterfat in milk of a producer that is:

* * * * *

(f) Producer milk shall not include milk of a producer that is subject to inclusion and participation in a marketwide equalization pool under a milk classification and pricing program imposed under the authority of a State government maintaining marketwide pooling of returns.

Dated: January 5, 2004.

Kenneth C. Clayton,

Acting Administrator, Agricultural Marketing Service.

[FR Doc. 04–399 Filed 1–9–04; 8:45 am]

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FEDERAL RESERVE SYSTEM

12 CFR Part 229

[Regulation CC; Docket No. R–1179]

Availability of Funds and Collection of Checks

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Final rule; technical amendment.

SUMMARY: The Board of Governors is amending appendix A of Regulation CC

to delete the reference to the Miami check processing office of the Federal Reserve Bank of Atlanta and reassign the Federal Reserve routing symbols currently listed under that office to the Jacksonville office of the Federal Reserve Bank of Atlanta. These amendments reflect the restructuring of check processing operations within the Federal Reserve System.

DATES: The final rule will become effective on March 13, 2004.

FOR FURTHER INFORMATION CONTACT: Jack K. Walton II, Assistant Director (202/452-2660), or Jeffrey S. H. Yeganeh, Manager (202/728-5801), Division of Reserve Bank Operations and Payment Systems; or Adrienne G. Threatt, Counsel (202/452-3554), Legal Division. For users of Telecommunications Devices for the Deaf (TDD) only, contact 202/263-4869.

SUPPLEMENTARY INFORMATION: Regulation CC establishes the maximum period a depository bank may wait between receiving a deposit and making the deposited funds available for withdrawal.¹ A depository bank generally must provide faster availability for funds deposited by a "local check" than by a "nonlocal check." A check drawn on a bank is considered local if it is payable by or at a bank located in the same Federal Reserve check processing region as the depository bank. A check drawn on a nonbank is considered local if it is payable through a bank located in the same Federal Reserve check processing region as the depository bank. Checks that do not meet the requirements for "local" checks are considered "nonlocal."

Appendix A to Regulation CC contains a routing number guide that assists banks in identifying local and nonlocal banks and thereby determining the maximum permissible hold periods for most deposited checks. The appendix includes a list of each Federal Reserve check processing office and the first four digits of the routing number, known as the Federal Reserve routing symbol, of each bank that is served by that office. Banks whose Federal Reserve routing symbols are grouped under the same office are in the same check processing region and thus are local to one another.

As explained in detail in the Board's final rule published in the **Federal Register** on May 28, 2003, the Federal Reserve Banks decided in early 2003 to reduce the number of locations at which

they process checks.² As part of this restructuring process, the Miami office of the Federal Reserve Bank of Atlanta will cease processing checks on March 13, 2004. As of that date, banks with routing symbols currently assigned to the Miami office for check processing purposes will be reassigned to the Atlanta Reserve Bank's Jacksonville office. As a result of this change, some checks that are drawn on and deposited at banks located in the Miami and Jacksonville check processing regions and that currently are nonlocal checks will become local checks subject to faster availability schedules.

The Board accordingly is amending the list of routing symbols assigned to Sixth District check processing offices to reflect the transfer of operations from Miami to Jacksonville and to assist banks in identifying local and nonlocal banks. These amendments are effective March 13, 2004, to coincide with the effective date of the underlying check processing changes. The Board is providing advance notice of these amendments to give affected banks ample time to make any needed processing changes. The advance notice will also enable affected banks to amend their availability schedules and related disclosures, if necessary, and provide their customers with notice of these changes.³ The Federal Reserve routing symbols assigned to all other Federal Reserve branches and offices will remain the same at this time. The Board of Governors, however, intends to issue similar notices at least sixty days prior to the elimination of check operations at some other Reserve Bank offices, as described in the May 2003 **Federal Register** document.

Administrative Procedure Act

The Board has not followed the provisions of 5 U.S.C. 553(b) relating to notice and public participation in connection with the adoption of this final rule. The revisions to the appendix are technical in nature, and the routing symbol revisions are required by the statutory and regulatory definitions of "check-processing region." Because there is no substantive change on which to seek public input, the Board has

² See 68 FR 31592, May 28, 2003. In addition to the general advance notice of future amendments previously provided by the Board, as well as the Board's notices of final amendments, the Reserve Banks are striving to inform affected depository institutions of the exact date of each office transition at least 120 days in advance. The Reserve Banks' communications to affected depository institutions are available at www.frbsservices.org.

³ Section 229.18(e) of Regulation CC requires that banks notify account holders who are consumers within 30 days after implementing a change that improves the availability of funds.

determined that the section 553(b) notice and comment procedures are unnecessary.

Paperwork Reduction Act

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3506; 5 CFR part 1320, Appendix A.1), the Board has reviewed the final rule under authority delegated to the Board by the Office of Management and Budget. This technical amendment to appendix A of Regulation CC will delete the reference to the Miami check processing office of the Federal Reserve Bank of Atlanta and reassign the routing symbols listed under that office to the Jacksonville office of the Federal Reserve Bank of Atlanta. The depository institutions that are located in the affected check processing regions and that include the routing numbers in their disclosure statements would be required to notify customers of the resulting change in availability under § 229.18(e). However, because all paperwork collection procedures associated with Regulation CC already are in place, the Board anticipates that no additional burden will be imposed as a result of this rulemaking.

12 CFR Chapter II

List of Subjects in 12 CFR Part 229

Banks, Banking, Federal Reserve System, Reporting and recordkeeping requirements.

Authority and Issuance

■ For the reasons set forth in the preamble, the Board is amending 12 CFR part 229 to read as follows:

PART 229—AVAILABILITY OF FUNDS AND COLLECTION OF CHECKS (REGULATION CC)

■ 1. The authority citation for part 229 continues to read as follows:

Authority: 12 U.S.C. 4001 *et seq.*

■ 2. The Sixth Federal Reserve District routing symbol list in appendix A is revised to read as follows:

* * * * *

Appendix A to Part 229—Routing Number Guide to Next-Day Availability Checks and Local Checks

Sixth Federal Reserve District

[Federal Reserve Bank of Atlanta]

Head Office

0610	2610
0611	2611
0612	2612
0613	2613

Birmingham Branch

0620	2620
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¹ For purposes of Regulation CC, the term "bank" refers to any depository institution, including commercial banks, savings institutions, and credit unions.

0621 2621
0622 2622

Jacksonville Branch

0630 2630
0631 2631
0632 2632
0660 2660
0670 2670

Nashville Branch

0640 2640
0641 2641
0642 2642

New Orleans Branch

0650 2650
0651 2651
0652 2652
0653 2653
0654 2654
0655 2655

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By order of the Board of Governors of the Federal Reserve System, acting through the Secretary of the Board under delegated authority, January 6, 2004.

Jennifer J. Johnson,
Secretary of the Board.

[FR Doc. 04-534 Filed 1-9-04; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2002-CE-18-AD; Amendment 39-13406; AD 2003-09-09 R1]

RIN 2120-AA64

Airworthiness Directives; Cessna Aircraft Company Models 441 and F406 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule

SUMMARY: This amendment revises Airworthiness Directive (AD) 2003-09-09, which applies to certain Cessna Aircraft Company (Cessna) Models 441 and F406 airplanes. AD 2003-09-09 currently requires repetitively inspecting the fuel boost pump wiring inside and outside the boost pump reservoir and repair or replacement of the wiring as necessary. AD 2003-09-09 also requires eventual installation of an improved design wire harness and fuel boost pump as terminating action for the repetitive inspections. The way the compliance time is currently written puts certain airplane owners/operators in non-compliance with the AD. Also, the terminating action for the repetitive inspections did not provide the option of installing the protective sleeving

modification for boost pump lead wires. This document clarifies and corrects the compliance time and provides the option of installing the protective sleeving modification for boost pump lead wires. The actions specified by this AD are intended to detect, correct, and prevent chafing and/or arcing of the fuel boost pump wiring, which could result in arcing within the wing fuel storage system. This condition could lead to ignition of explosive vapor within the fuel storage system.

DATES: This AD becomes effective on January 22, 2004.

The Director of the Federal Register previously approved the incorporation by reference of certain publications listed in the regulations as of June 24, 2003 (68 FR 23186, May 1, 2003).

ADDRESSES: You may get the service information referenced in this AD from Cessna Aircraft Company, Product Support, P.O. Box 7706, Wichita, Kansas 67277; telephone: (316) 517-5800; facsimile: (316) 942-9006. You may view this information at the Federal Aviation Administration (FAA), Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 2002-CE-18-AD, 901 Locust, Room 506, Kansas City, Missouri 64106; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Robert Adamson, Aerospace Engineer, FAA, Wichita Aircraft Certification Office, 1801 Airport Road, Room 100, Wichita, Kansas 67209; telephone: 316-946-4145; facsimile: 316-946-4107.

SUPPLEMENTARY INFORMATION:

Discussion

What Prior AD Action Did FAA Take on This Subject?

We issued AD 2003-09-09, Amendment 39-13138 (68 FR 23186, May 1, 2003), in order to detect, correct, and prevent chafing and/or arcing of the fuel boost pump wiring on certain Cessna Models 441 and F406 airplanes. This AD currently requires repetitively inspecting the fuel boost pump wiring inside and outside the boost pump reservoir and repair or replacement of the wiring as necessary, and requires eventual installation of an improved design wire harness and fuel boost pump as terminating action for the repetitive inspections. AD 2003-09-09 superseded AD 2002-09-13, which required only a one-time inspection and repair or replacement of the wiring as necessary on Model 441 airplanes.

What Has Happened To Necessitate Further AD Action?

We established the compliance time of AD 2003-09-09 to coincide with the initial inspection of AD 2002-09-13. The compliance time is currently written as:

“Initially at whichever occurs first, unless already accomplished: Within the next 25 hours time-in-service (TIS) or 60 days after May 31, 2002 (the effective date of AD 2002-09-13); Repetitively thereafter at intervals not to exceed 200 hours TIS.”

The FAA has found that there are a few airplanes that have already accumulated more than 200 hours TIS after the last inspection required by AD-2002-09-13. The way the compliance time is currently written puts these airplane owners/operators in non-compliance with the AD.

This was not FAA's intent. Our intent was to give every owner/operator of the affected airplanes a grace period for accomplishing the AD without jeopardizing the safety of these airplanes.

The option of installing the protective sleeving modification for boost pump lead wires is included in the service information. However, AD 2003-09-09 did not address this option. It is FAA's intent that the AD provide this option for the affected airplanes.

Consequently, FAA sees a need to clarify and correct AD 2003-09-09 to assure that every owner/operator of the affected airplanes is able to comply with the AD action.

Correction of Publication

What Is the Purpose of This Document?

This document clarifies the intent of the compliance time of AD 2003-09-09, adds the option of installing the protective sleeving modification, and adds the amendment to section 39.13 of the Federal Aviation Regulations (14 CFR 39.13).

Is It Necessary To Seek Public Input?

Since this action only clarifies the intent of the compliance time and provides a compliance option, it has no adverse economic impact and imposes no additional burden on any person than would have been necessary to comply with AD 2003-09-09. Therefore, FAA has determined that prior notice and opportunity for public comment are unnecessary.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.