

Done in Washington, DC, this 30th day of September 1998.

Joan M. Arnoldi,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 98-26829 Filed 10-6-98; 8:45 am]

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DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

9 CFR Part 93

[Docket No. 95-054-3]

Importation of Horses

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Technical amendment.

SUMMARY: We are making a technical amendment to the regulations regarding the importation of horses to restore a reference to vesicular stomatitis that was inadvertently removed from those regulations.

EFFECTIVE DATE: October 7, 1998.

FOR FURTHER INFORMATION CONTACT: Mrs. Kathy Holmes, Regulatory Coordination Specialist, Regulatory Analysis and Development, Policy and Program Development, APHIS, USDA, 4700 River Road Unit 118, Riverdale, MD 20737-1238; (301) 734-8682.

SUPPLEMENTARY INFORMATION:

Background

The regulations in 9 CFR part 93 (referred to below as the regulations) prohibit or restrict the importation of certain animals into the United States to prevent the introduction of communicable diseases of livestock and poultry. Subpart C—Horses, §§ 93.300 through 93.326 of the regulations, pertains to the importation of horses into the United States.

(**Note:** At the time the final rules referred to in this document were published, the regulations described in the previous paragraph were located in 9 CFR part 92. However, on October 28, 1997, we published in the **Federal Register** (62 FR 56000-56026, Docket No. 94-106-9) a final rule that redesignated part 92 as part 93. In describing the actions taken in the final rules, we will cross-reference the former part 92 citations with their current locations in part 93.)

In a final rule published in the **Federal Register** on August 23, 1996 (61 FR 43417-43418, Docket No. 95-079-2), and effective September 23, 1996, we amended § 92.314 (current § 93.314) by adding vesicular stomatitis to the list of diseases from which a horse's premises of origin and adjoining premises must

be free before the horse may be imported into the United States.

That same section of the regulations was amended again in a subsequent final rule published in the **Federal Register** on October 7, 1996 (61 FR 52236-52246, Docket No. 95-054-2), and effective November 6, 1996. In the October 1996 final rule, we amended the regulations by, among other things, organizing the undesignated regulatory text of § 92.314 (current § 93.314) into paragraphs (a) through (c). However, the text of the newly reorganized § 92.314 (current § 93.314) that we set out in the October 1996 final rule was the same text that had been included in our June 4, 1996, proposed rule (61 FR 28073-28085, Docket No. 95-054-1), so it failed to reflect the August 1996 addition of vesicular stomatitis to that section. It was never our intention to remove that reference to vesicular stomatitis; indeed, no such change was discussed in the final rule or in the proposed rule that preceded it. Therefore, to rectify that error, we are amending § 93.314(a)(4) (former § 92.314) to restore the reference to vesicular stomatitis. List of Subjects in 9 CFR Part 93

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

Accordingly, we are amending 9 CFR part 93 as follows:

PART 93—IMPORTATION OF CERTAIN ANIMALS, BIRDS, AND POULTRY, AND CERTAIN ANIMAL, BIRD, AND POULTRY PRODUCTS; REQUIREMENTS FOR MEANS OF CONVEYANCE AND SHIPPING CONTAINERS

1. The authority citation for part 93 continues to read as follows:

Authority: 7 U.S.C. 1622; 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).

§ 93.314 [Amended]

2. In § 93.314, paragraph (a)(4) is amended by adding the words "vesicular stomatitis," immediately following the word "encephalomyelitis,".

Done in Washington, DC, this 30th day of September 1998.

Joan M. Arnoldi,

Acting Administrator, Animal and Plant Health Inspection Service.

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DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

9 CFR Part 130

[Docket No. 94-115-2]

RIN 0579-AA70

Veterinary Diagnostic Services User Fees

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Final rule.

SUMMARY: We are revising user fees for veterinary diagnostic services to reflect changes in operating costs and changes in calculations. We are also adding user fees to cover the costs of additional veterinary diagnostic services. In addition, we are reorganizing these user fees to list user fees by type of service and location where the service is provided, and to group reagents into categories. We are also revising user fees for the use of animal import centers operated by the Animal and Plant Health Inspection Service and adding user fees for new spaces. These actions are necessary to ensure that we recover our costs. The Food, Agriculture, Conservation, and Trade Act of 1990, as amended, authorizes us to set and collect these user fees.

EFFECTIVE DATE: November 6, 1998.

FOR FURTHER INFORMATION CONTACT: For information concerning services provided for live animals and germ plasm, contact Dr. Gary S. Colgrove, Chief Staff Veterinarian, National Center for Import and Export, VS, APHIS, 4700 River Road Unit 38, Riverdale, MD 20737-1231; (301) 734-3294.

For information concerning services provided for veterinary diagnostics, contact Dr. James E. Pearson, Director, National Veterinary Services Laboratories, VS, APHIS, P.O. Box 844, Ames, IA 50010; (515) 239-8266.

For information concerning program operations for Veterinary Services, contact Ms. Louise Lothery, Director, Veterinary Services Resource Management Staff, APHIS, 4700 River Road Unit 44, Riverdale, MD 20737-1231; (301) 734-7517.

For information concerning rate development of the proposed user fees, contact Ms. Donna Ford, Section Head, Financial Systems and Services Branch, Budget and Accounting Division, APHIS, 4700 River Road Unit 54, Riverdale, MD 20737-1232; (301) 734-8351.