published in the Federal Register on February 20, 1996, shall be and are the terms and provisions of this order amending the order and are set forth in full herein.

List of Subjects in 7 CFR Part 985

Marketing agreements, Oils and fats, Reporting and recordkeeping requirements, Spearmint oil.

For the reasons set forth in the preamble, 7 CFR Part 985 is amended as follows:

PART 985—MARKETING ORDER REGULATING THE HANDLING OF SPEARMINT OIL PRODUCED IN THE FAR WEST

1. The authority citation for 7 CFR Part 985 continues to read as follows:

Authority: 7 U.S.C. 601–674.

2. Section 985.5 is revised to read as follows:

§ 985.5 Production area.

Production area means all the area within the States of Washington, Idaho, Oregon, and that portion of Nevada north of the 37th parallel and that portion of Utah west of the 111th meridian. The area shall be divided into the following districts:

(a) District 1. State of Washington

(b) District 2. The State of Idaho and that portion of the States of Nevada and Utah included in the production area.

(c) District 3. The State of Oregon.

Dated: June 19, 1996.

Michael V. Dunn,

Assistant Secretary, Marketing and Regulatory Programs.

[FR Doc. 96–16303 Filed 6–25–96; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF JUSTICE

8 CFR PARTS 3 AND 242

[EOIR 102F]

RIN 1125–AA01

Executive Office for Immigration Review; Motions and Appeals in Immigration Proceedings; Correction

AGENCY: Department of Justice.

ACTION: Correction to final regulation.

SUMMARY: This document contains additional corrections to the final regulation published Monday, April 29, 1996 (61 FR 18900), relating to new motions and appeals procedures in immigration proceedings.

EFFECTIVE DATE: July 1, 1996.

FOR FURTHER INFORMATION CONTACT: Margaret M. Philbin, General Counsel, Executive Office for Immigration Review, Suite 2400, 5107 Leesburg Pike, Falls Church, VA 22041, (703) 305–0470 (not a toll free call).

SUPPLEMENTARY INFORMATION:

Background

The final regulation that is the subject of these corrections streamlines the motions and appeals practice before the Board of Immigration Appeals and establishes a centralized procedure for filing notices of appeal, fees, fee waiver requests, and briefs directly with the Board. The new regulation also establishes time and number limitations on motions to reconsider and on motions to reopen and makes certain changes to appellate procedures to reflect the statutory directives of section 545 of the Immigration Act of 1990 (Pub. L. 101–649, 104 stat. at 4978).

Need for Correction

As published, the final regulation contains errors that may prove to be misleading and are in need of clarification.

Correction of Publication

Accordingly, the publication on April 29, 1996 of the final regulation (EOIR 102F), which was the subject of FR Doc. 96–10157 is corrected as follows:

§ 3.2(b) [Corrected]

1. On page 18904, in the third column, in § 3.2 paragraph (b), line 13, the word ''shall'' is corrected to read ''may'' and in line 17, the last sentence of the paragraph is corrected to read ''Such motion may be consolidated with, and considered by the Board in connection with the appeal to the Board.''

§ 246.7 [Corrected]

2. On page 18910, in the first column, § 246.7, line 4, the following language is removed: ''except that no appeal shall lie from an order of deportation entered in absentia''.

Rosemary Hart,

Federal Register Liaison Officer.

[FR Doc. 96–16270 Filed 6–25–96; 8:45 am]

BILLING CODE 4410–01–M

DEPARTMENT OF THE TREASURY

Customs Service

19 CFR Parts 102 and 134

Country of Origin Marking Exception for Textile Goods Assembled Abroad With Components Only Cut to Shape in the U.S.

AGENCY: U.S. Customs Service, Department of the Treasury.

ACTION: General policy statement.

SUMMARY: This notice advises the public of a general country of origin marking exception that will be granted by Customs, commencing July 1, 1996, for imported textile goods assembled abroad with components which were only cut to shape in the United States.

EFFECTIVE DATE: July 1, 1996.

FOR FURTHER INFORMATION CONTACT: Craig Walker, Special Classification and Marking Branch, Office of Regulations and Rulings (202–482–6980).

SUPPLEMENTARY INFORMATION:

Background

On September 5, 1995, Customs published in the Federal Register (60 FR 46188) a final rule document setting forth, in section 102.21, Customs Regulations (19 CFR 102.21), new rules of origin applicable to textile and apparel products. These rules, which become effective July 1, 1996, implement the provisions of section 334 of the Uruguay Round Agreements Act (''the Act'') (codified at 19 U.S.C. 3592).

One of the fundamental changes that will result from the new textile rules of origin is that cutting fabric to shape will no longer confer origin. Currently (prior to July 1, 1996), the cutting of foreign fabric to shape in the U.S. results in the components becoming products of the U.S. If these components are assembled abroad and returned, they are entitled to a duty allowance under subheading 9802.00.80, HTSUS, and pursuant to the regulations (19 CFR 10.22, which will be eliminated effective August 5, 1996), they may be marked ''Assembled in X country from U.S. components'' or a similar phrase. However, under the new textile rules, these fabric components will no longer be of U.S. origin. Therefore, while the Act provides that importers may continue to receive a duty allowance for components cut to shape in the U.S. from foreign fabric and assembled abroad, effective July 1, 1996, such assembled goods will no longer be considered properly marked when they are labeled ''Assembled in X country from 'U.S.' components.''

However, the marking statute and regulations allow for exceptions to the marking requirements under certain circumstances. One of these exceptions concerns articles which cannot be marked prior to, or after, importation except at an expense that would be economically prohibitive. See 19 U.S.C. 1304(a)(3) (C) and (K), and 19 CFR 134.32(c) and (o). In consideration of: (1) The fact that many labels for assembled goods were already printed prior to July 1, 1996, on the basis of the current textile origin rules; (2) the expectation that many individual requests will be received for marking exceptions on the ground of economic prohibitiveness; and (3) the importance of providing uniformity of Customs treatment for such goods, Headquarters has made a general finding that it would be economically prohibitive to properly mark goods (either before or after importation) with respect to which marking labels have already been pre-printed or/or sewn into goods based on the current origin rules. This action will allow importers to exhaust their inventory of pre-existing labels stating ''Assembled in X country from U.S. components'' or a similar phrase, for goods that were assembled from components that were only cut to shape in the U.S. (i.e., not woven in the U.S.). This general marking exception shall be granted for all imported goods marked as described above for a period not to exceed four (4) months from the effective date of the new textile rule of origin (i.e., no later than November 1, 1996) which Customs views as a reasonable period of time for the exhaustion of existing inventory of labels. Please note that, if information is obtained that the above labels were printed after July 1, 1996, this general marking exception will not apply.

Dated: June 21, 1996.

Stuart P. Seidel,

Assistant Commissioner, Office of Regulations and Rulings.

[FR Doc. 96–16278 Filed 6–25–96; 8:45 am]

BILLING CODE 4820–02–P

Drug Enforcement Administration

21 CFR Parts 1309 and 1310

[DEA–133F]

RIN 1117–AA29

Waiver of Requirements for the Distribution of Prescription Drug Products Drug Products That Contain List I Chemicals

AGENCY: Drug Enforcement Administration (DEA), Justice.

ACTION: Final rule.

SUMMARY: DEA is amending its regulations to waive the registration requirement for persons who distribute prescription drug products that are subject to regulation on List I chemicals and to allow that the records required to be maintained pursuant to the Federal Food and Drug Administration (FDA) regulations for prescription drug products shall be deemed adequate for satisfying DEA's recordkeeping requirements with respect to distribution. In response from industry, DEA has conducted a review and determined that such prescription drug products are already subject to extensive regulatory controls regarding their distribution and there is no evidence that the products are being diverted at this time. This action will relieve distributors and manufacturers of regulated prescription drug products containing List I chemicals from the chemical control requirements in circumstances where compliance would be unnecessary for enforcement of the law.

EFFECTIVE DATE: July 26, 1996.

FOR FURTHER INFORMATION CONTACT: G. Thomas Gitchel, Chief, Liaison and Policy Section, Office of Diversion Control, Drug Enforcement Administration, Washington, DC 20537, Telephone (202) 307–7297.

SUPPLEMENTARY INFORMATION: On September 26, 1995, DEA published a notice in the Federal Register (60 FR 49527) proposing to amend Title 21, Code of Federal Regulations (CFR), parts 1309 and 1310, to waive the requirement of registration for persons distributing prescription drug products that are regulated as List I chemicals and to allow that the records required to be maintained pursuant to the FDA regulations for prescription drug products shall be deemed adequate for satisfying DEA's recordkeeping requirements with respect to distribution. This rule responds industry's requests for relief based on existing regulatory controls and the lack of evidence of diversion of the products.

One comments was submitted in response to the proposed rulemaking. That comment, while supporting the proposed amendments, requested that DEA include in the regulations a provision that the FDA record retention requirement of two years, rather that the four year retention period required under the Controlled Substances Act (CSA), would apply to records of distributions of regulated prescription drug products. DEA is aware of the discrepancy between the record retention requirements between the FDA and DEA for these products; however, DEA does not have flexibility regarding the recordkeeping retention period for List I chemicals since 21 U.S.C. 830(a)(1)(A) of the CSA mandates that records of transactions involving List I chemicals shall be maintained for four years. There is no provision in the CSA allowing DEA the discretion to waive or modify that requirement. Only the Congress could amend the statute as proposed by the commentor. Until that requirement of the law is amended, records of regulated transactions involving List I chemicals must be maintained for the required four year period.

The Deputy Administrator of the Drug Enforcement Administration hereby certifies that this rulemaking will not have a significant impact on a large number of entities whose interests must be considered under the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.* This rulemaking grants those persons who distribute regulated prescription drug products relief from DEA's chemical registration requirement and allows for the use of records already maintained pursuant to FDA regulations in lieu of requiring that separate records be maintained. These amendments could potentially ease the regulatory burden for 1,200 or more distributors and manufacturers of regulated prescription drug products.

This rule has been drafted and reviewed in accordance with Executive Order 12866. DEA has determined that this is not a significant regulatory action under the provisions of Executive Order 12866, section 3(f) and accordingly this rule has not been reviewed by the Office of Management and Budget. This rule will eliminate unnecessary regulatory requirements for distributors of regulated prescription drug products.

This action has been analyzed in accordance with the principles an criteria in Executive Order 12612, and it has been determined that the rule does not have sufficient federalism