

7 CFR Part 998

Marketing agreements, Peanuts, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR parts 997 and 998 are amended as follows:

1. The authority citation for 7 CFR parts 997 and 998 continues to read as follows:

Authority: 7 U.S.C. 601–674.

**PART 997—PROVISIONS
REGULATING THE QUALITY OF
DOMESTICALLY PRODUCED
PEANUTS HANDLED BY PERSONS
NOT SUBJECT TO THE PEANUT
MARKETING AGREEMENT**

§ 997.101 [Amended]

2. Section 997.101 is amended by removing “July 1, 1996,” and adding in its place “July 1, 1997,” and by removing “\$0.70” and adding in its place “\$0.35.”

**PART 998—MARKETING AGREEMENT
REGULATING THE QUALITY OF
DOMESTICALLY PRODUCED
PEANUTS**

§ 998.409 [Amended]

3. Section 998.409 is amended by removing “July 1, 1996,” and adding in its place “July 1, 1997,” and by removing “\$0.70” and by adding in its place “\$0.35.”

Dated: September 12, 1997.

Robert C. Keeney,

Director, Fruit and Vegetable Division.

[FR Doc. 97–24689 Filed 9–16–97; 8:45 am]

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DEPARTMENT OF AGRICULTURE

**Animal and Plant Health Inspection
Service**

9 CFR Part 78

[Docket No. 97–009–2]

**Brucellosis in Cattle; State and Area
Classifications; Tennessee**

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Affirmation of interim rule as final rule.

SUMMARY: We are adopting as a final rule, without change, an interim rule that amended the brucellosis regulations concerning the interstate movement of cattle by changing the classification of Tennessee from Class A to Class Free. We have determined that Tennessee meets the standards for Class Free status. The interim rule was necessary

to relieve certain restrictions on the interstate movement of cattle from Tennessee.

EFFECTIVE DATE: The interim rule was effective on February 28, 1997.

FOR FURTHER INFORMATION CONTACT: Dr. R.T. Rollo, Jr., Staff Veterinarian, National Animal Health Programs, VS, APHIS, Suite 3B08, 4700 River Road Unit 36, Riverdale, MD 20737–1231, (301) 734–7709; or e-mail: rrollo@aphis.usda.gov.

SUPPLEMENTARY INFORMATION:

Background

In an interim rule effective February 28, 1997, and published in the **Federal Register** on March 6, 1997 (62 FR 10192–10193, Docket No. 97–009–1), we amended the brucellosis regulations in 9 CFR part 78 by removing Tennessee from the list of Class A States in § 78.41(b) and adding it to the list of Class Free States in § 78.41(a).

Comments on the interim rule were required to be received on or before May 5, 1997. We did not receive any comments. The facts presented in the interim rule still provide a basis for the rule.

This action also affirms the information contained in the interim rule concerning Executive Order 12866 and the Regulatory Flexibility Act, Executive Orders 12372 and 12988, and the Paperwork Reduction Act.

Further, for this action, the Office of Management and Budget has waived the review process required by Executive Order 12866.

List of Subjects in 9 CFR Part 78

Animal diseases, Bison, Cattle, Hogs, Quarantine, Reporting and recordkeeping requirements, Transportation.

PART 78—BRUCELLOSIS

Accordingly, we are adopting as a final rule, without change, the interim rule that amended 9 CFR part 78 and that was published at 62 FR 10192–10193 on March 6, 1997.

Authority: 21 U.S.C. 111–114a–1, 114g, 115, 117, 120, 121, 123–126, 134b, and 134f; 7 CFR 2.22, 2.80, and 371.2(d).

Done in Washington, DC, this 11th day of September 1997.

Terry L. Medley,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 97–24668 Filed 9–16–97; 8:45 am]

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DEPARTMENT OF AGRICULTURE

**Animal and Plant Health Inspection
Service**

9 CFR Part 94

[Docket No. 97–021–2]

**Change in Disease Status of Northern
Ireland and Norway Because of Exotic
Newcastle Disease**

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Affirmation of interim rule as final rule.

SUMMARY: We are adopting as a final rule, without change, an interim rule that amended the regulations by removing Northern Ireland and Norway from the list of countries that are considered to be free of exotic Newcastle disease. We took this action based on reports we received from the Office International des Epizooties and the Governments of Northern Ireland and Norway that outbreaks of exotic Newcastle disease have occurred in Northern Ireland and Norway. This action restricts the importation of live birds, poultry, and poultry products into the United States from Northern Ireland and Norway.

EFFECTIVE DATE: The interim rule was effective on April 15, 1997.

FOR FURTHER INFORMATION CONTACT: Dr. John Coughill, Staff Veterinarian, Animal Products Program, National Center for Import and Export, VS, APHIS, 4700 River Road Unit 39, Riverdale, MD 20737–1231, (301) 734–3399; or e-mail: jcoughill@aphis.usda.gov.

SUPPLEMENTARY INFORMATION:

Background

In an interim rule effective April 15, 1997, and published in the **Federal Register** on April 18, 1997 (62 FR 19032–19033, Docket No. 97–021–1), we amended the regulations in 9 CFR part 94 by removing Northern Ireland and Norway from the list of countries in § 94.6(a)(2) that are considered to be free of exotic Newcastle disease.

Comments on the interim rule were required to be received on or before June 17, 1997. We did not receive any comments. The facts presented in the interim rule still provide a basis for the rule.

This action also affirms the information contained in the interim rule concerning Executive Order 12866 and the Regulatory Flexibility Act, Executive Order 12988, and the Paperwork Reduction Act.

Further, for this action, the Office of Management and Budget has waived the

review process required by Executive Order 12866.

List of Subjects in 9 CFR Part 94

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

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

Accordingly, we are adopting as a final rule, without change, the interim rule that amended 9 CFR part 94 and that was published at 62 FR 19032–19033 on April 18, 1997.

Authority: 7 U.S.C. 147a, 150ee, 161, 162, and 450; 19 U.S.C. 1306; 21 U.S.C. 111, 114a, 134a, 134b, 134c, 134f, 136, and 136a; 31 U.S.C. 9701; 42 U.S.C. 4331 and 4332; 7 CFR 2.22, 2.80, and 371.2(d).

Done in Washington, DC, this 11th day of September 1997.

Terry L. Medley,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 97–24669 Filed 9–16–97; 8:45 am]

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FEDERAL RESERVE SYSTEM

12 CFR Part 229

[Regulation CC; Docket No. R–0926]

Availability of Funds and Collection of Checks; Correction

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Final rule; correction to an amendment.

SUMMARY: The Board is correcting an amendment to Regulation CC (Availability of Funds and Collection of Checks) that appeared in the **Federal Register** on March 24, 1997. This document corrects an error that appeared in Model Availability Policy Disclosure C–5 concerning statutory limits on funds availability of all deposits.

EFFECTIVE DATE: October 17, 1997.

FOR FURTHER INFORMATION CONTACT: Obrea Poindexter, Staff Attorney (202/452–3667), Division of Consumer and Community Affairs. For the hearing impaired *only*, contact Diane Jenkins, Telecommunications Device for the Deaf (TDD) (202/452–3544), Board of Governors of the Federal Reserve

System, 20th and C Streets, N.W., Washington, D.C. 20551.

SUPPLEMENTARY INFORMATION: On March 24, 1997 (62 FR 13801), the Board published amendments to Regulation CC (12 CFR part 229) to clarify the regulation and, in specified circumstances, reduce the compliance burden for depository institutions. Appendix C to Part 229 contains model availability policy disclosures, clauses and notices to facilitate compliance by banks with the disclosure requirements of Regulation CC. This document corrects an error that appeared in Model Availability Policy Disclosure C–5 concerning statutory limits on funds availability of all deposits.

In Model Availability Policy Disclosure C–5, the sentence that begins “If you deposit both categories of checks * * *” was inadvertently placed under the subheading “Longer Delays May Apply.” As the sentence does not pertain to exception holds pursuant to the funds availability policy, it is removed. The sentence, which stipulates the availability policy for the deposit of both local and nonlocal checks, should have instead appeared below the heading “Other Check Deposits.” To accommodate the sentence, a new subheading has been added, titled “3. Local and nonlocal checks,” and the sentence is placed under the newly formed subheading.

As this is a technical correction that does not affect the substance of Regulation CC, 5 U.S.C. 553 does not require publication for comment.

Banks that use earlier versions of the model forms are protected from civil liability under § 229.21(e), but all banks are encouraged to use the new versions when reordering or reprinting supplies.

Final Regulatory Flexibility Analysis

The technical correction should not have a negative impact on small institutions.

List of Subjects in 12 CFR Part 229

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

For the reasons set forth in the preamble, 12 CFR part 229 is amended 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. In Appendix C to part 229, the Model Availability Policy Disclosure C–5 is revised to read as follows:

Appendix C to Part 229—Model Availability Policy Disclosures, Clauses, and Notices

* * * * *

C–5—Holds to Statutory Limits on All Deposits

Your Ability To Withdraw Funds

Our policy is to delay the availability of funds from your cash and check deposits. During the delay, you may not withdraw the funds in cash and we will not use the funds to pay checks that you have written.

Determining the Availability Of A Deposit

The length of the delay is counted in business days from the day of your deposit. Every day is a business day except Saturdays, Sundays, and federal holidays. If you make a deposit before (*time of day*) on a business day that we are open, we will consider that day to be the day of your deposit. However, if you make a deposit after (*time of day*) or on a day we are not open, we will consider that the deposit was made on the next business day we are open.

The length of the delay varies depending on the type of deposit and is explained below.

Same-Day Availability

Funds from electronic direct deposits to your account will be available on the day we receive the deposit.

Next-Day Availability

Funds from the following deposits are available on the first business day after the day of your deposit:

- U.S. Treasury checks that are payable to you.

- Wire transfers.
- Checks drawn on (*bank name*) [unless (*any limitations related to branches in different states or check processing regions*)].

If you make the deposit in person to one of our employees, funds from the following deposits are also available on the first business day after the day of your deposit:

- Cash.
- State and local government checks that are payable to you [if you use a special deposit slip available from (*where deposit slip may be obtained*)].

- Cashier's, certified, and teller's checks that are payable to you [if you use a special deposit slip available from (*where deposit slip may be obtained*)].

- Federal Reserve Bank checks, Federal Home Loan Bank checks, and postal money orders, if these items are payable to you.

If you do not make your deposit in person to one of our employees (for example, if you mail the deposit), funds from these deposits will be available on the second business day after the day we receive your deposit.

Other Check Deposits

The delay for other check deposits depends on whether the check is a local or a nonlocal check. To see whether a check is a local or a nonlocal check, look at the routing number on the check:

BILLING CODE 6210–01–P