

hold, or in any way come in contact with any livestock.

PART 91—INSPECTION AND HANDLING OF LIVESTOCK FOR EXPORTATION

7. The authority citation for part 91 would continue to read as follows:

Authority: 21 U.S.C. 105, 112, 113, 114a, 120, 121, 134b, 134f, 136, 136a, 612, 613, 614, and 618; 46 U.S.C. 466a, 466b; 49 U.S.C. 1509(d); 7 CFR 2.22, 2.80, and 371.2(d).

§ 91.1 [Amended]

8. In § 91.1, the definition of *Animals* would be amended by adding "captive cervids," immediately after "cattle (including American bison)."

9. Section 91.7 would be added to read as follows:

§ 91.7 Captive cervids.

To be eligible for export, a captive cervid must be accompanied by an origin health certificate stating that the cervid has tested negative to an official single cervical tuberculin test for tuberculosis, as described in part 77, subpart B, of this chapter, within 90 days prior to export. The origin health certificate must specify the date the test was conducted and the test results.

Done in Washington, DC, this 29th day of March 1996.

Lonnie J. King,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 96-8303 Filed 4-3-96; 8:45 am]

BILLING CODE 3410-34-P

9 CFR Part 94

[Docket No. 96-014-1]

Change in Disease Status of The Netherlands Because of Hog Cholera and Swine Vesicular Disease

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Proposed rule.

SUMMARY: We are proposing to declare The Netherlands free of hog cholera and swine vesicular disease. As part of this proposed action, we would add The Netherlands to the list of countries that, although declared free of hog cholera and swine vesicular disease, are subject to restrictions on pork and pork products offered for importation into the United States. Declaring The Netherlands free of hog cholera and swine vesicular disease appears to be appropriate because there have been no confirmed outbreaks of hog cholera and swine vesicular disease in The Netherlands since 1992 and 1994,

respectively. This proposed rule would relieve certain restrictions on the importation of pork and pork products into the United States from The Netherlands. However, because The Netherlands shares common land borders with countries affected by swine vesicular disease, the importation into the United States of pork and pork products from The Netherlands would continue to be restricted.

DATES: Consideration will be given only to comments received on or before June 3, 1996.

ADDRESSES: Please send an original and three copies of your comments to Docket No. 96-014-1, Regulatory Analysis and Development, PPD, APHIS, suite 3C03, 4700 River Road Unit 118, Riverdale, MD 20737-1238. Please state that your comments refer to Docket No. 96-014-1. Comments received may be inspected at USDA, room 1141, South Building, 14th Street and Independence Avenue SW., Washington, DC, between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays. Persons wishing to inspect comments are requested to call ahead on (202) 690-2817 to facilitate entry into the comment reading room.

FOR FURTHER INFORMATION CONTACT: Dr. John Coughill, Staff Veterinarian, Products Program, National Center for Import and Export, VS, APHIS, 4700 River Road Unit 40, Riverdale, MD 20737-1231, (301) 734-8688; or e-mail: jcoughill@aphis.usda.gov.

SUPPLEMENTARY INFORMATION:

Background

The regulations in 9 CFR part 94 (referred to below as the regulations) govern the importation into the United States of specified animals and animal products in order to prevent the introduction of various animal diseases, including rinderpest, foot-and-mouth disease, African swine fever, hog cholera, and swine vesicular disease (SVD). These are dangerous and destructive communicable diseases of ruminants and swine.

Sections 94.9(a) and 94.10(a) of the regulations provide that hog cholera exists in all countries of the world except those listed in §§ 94.9(a) and 94.10(a), which are declared to be free of hog cholera.

Section 94.12(a) of the regulations provides that SVD is considered to exist in all countries of the world except those listed in § 94.12(a), which are declared to be free of SVD.

The last outbreaks of hog cholera and SVD in The Netherlands occurred in 1992 and 1994, respectively. This

information has been confirmed by the Government of The Netherlands.

The Netherlands has applied to the U.S. Department of Agriculture (USDA) to be recognized as free of hog cholera and SVD. The Animal and Plant Health Inspection Service (APHIS) has reviewed the documentation submitted by the Government of The Netherlands in support of its request. A team of APHIS officials recently conducted an on-site evaluation of the animal health program in The Netherlands in regard to the hog cholera and SVD situation in that country. The evaluation consisted of a review of the capability of The Netherlands veterinary services, laboratory and diagnostic procedures, disease reporting and surveillance procedures, vaccination practices, and the administration of laws and regulations to prevent the introduction into The Netherlands of hog cholera and SVD through the importation of animals, meat, and other animal products.

Based on our review and on-site evaluation, we are proposing to add The Netherlands to the lists of countries in §§ 94.9(a), 94.10(a), and 94.12(a) of the regulations that have been declared free of hog cholera and SVD. This action would relieve certain restrictions on the importation of pork and pork products into the United States from The Netherlands.

At the same time, we are proposing to add The Netherlands to the list of countries in § 94.13 that have been declared free of SVD, but from which the importation of pork and pork products is restricted.

The countries listed in § 94.13 are subject to these restrictions because at least one of the following conditions applies: (1) They supplement their national meat supply by importing fresh, chilled, or frozen pork from countries where SVD is considered to exist; (2) They have a common land border with countries where SVD is considered to exist; or (3) They have certain trade practices that are less restrictive than are acceptable to the United States.

The Netherlands has common land borders with Belgium, which is designated in § 94.12(a) as a country in which SVD is considered to exist, and it supplements its meat supply by importing fresh, chilled, or frozen pork from countries where SVD is considered to exist. As a result, even though we propose to designate The Netherlands free of hog cholera and SVD, the pork and pork products produced in The Netherlands may be commingled with fresh, chilled, or frozen meat of animals from a country in which SVD is

considered to exist, resulting in some risk of contamination.

Therefore, we are proposing that pork and pork products, as well as any ship's stores, airplane meals, and baggage containing such pork, offered for importation into the United States from The Netherlands be subject to the restrictions specified in § 94.13 of the regulations and to the applicable requirements contained in the regulations of the USDA's Food Safety and Inspection Service at 9 CFR chapter III. Section 94.13 requires, in part, that pork and pork products be: (1) Prepared in an inspected establishment that is eligible to have its products imported into the United States under the Federal Meat Inspection Act; and (2) accompanied by a foreign meat inspection certificate as well as a certification issued by a full-time salaried veterinary official of the national government of the exporting country, stating that certain precautions have been satisfied so that the pork or pork product has not been commingled with or exposed to animals, pork, or pork products originating in, or transported through, a country in which SVD is considered to exist.

Executive Order 12866 and Regulatory Flexibility Act

This proposed rule has been reviewed under Executive Order 12866. For this action, the Office of Management and Budget has waived its review process required by Executive Order 12866.

This proposed rule would amend the regulations in part 94 by adding The Netherlands to the lists of countries that have been declared free of hog cholera and SVD. This action would relieve certain restrictions on the importation of pork and pork products into the United States from The Netherlands. However, the importation of pork and pork products into the United States from The Netherlands would continue to be restricted because The Netherlands shares a common land border with Belgium, where SVD is considered to exist. While there are inspection and certification procedures for ensuring that commingling of pork and pork products from the two countries does not take place, these procedures are not without cost. Therefore, recognition of The Netherlands as free of hog cholera and SVD is not expected to significantly affect pork exports to the United States. The total value of pork exported to the United States from The Netherlands in 1994 was \$13.2 million (less than two percent of the value of all U.S. pork imports). There were no live swine exported from The Netherlands to the U.S. in 1994.

Under these circumstances, the Administrator of the Animal and Plant Health Inspection Service has determined that this action would not have a significant impact on a substantial number of small entities.

Executive Order 12778

This proposed rule has been reviewed under Executive Order 12778, Civil Justice Reform. If this proposed rule is adopted: (1) All State and local laws and regulations that are inconsistent with this rule will be preempted; (2) no retroactive effect will be given to this rule; and (3) administrative proceedings will not be required before parties may file suit in court challenging this rule.

Paperwork Reduction Act

This proposed rule contains no new information collection or recordkeeping requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

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.

Accordingly, 9 CFR part 94 would be amended as follows:

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

1. The authority citation for part 94 would continue to read as follows:

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).

§ 94.9 [Amended]

2. In § 94.9, paragraph (a) would be amended by adding "The Netherlands," immediately after "Iceland,".

§ 94.10 [Amended]

3. In § 94.10, paragraph (a) would be amended by adding "The Netherlands," immediately after "Iceland,".

§ 94.12 [Amended]

4. In § 94.12, paragraph (a) would be amended by adding "The Netherlands," immediately after "Mexico,".

§ 94.13 [Amended]

5. In § 94.13, the introductory text, the first sentence would be amended by

adding "The Netherlands," immediately after "Luxembourg".

Done in Washington, DC, this 1st day of April 1996.

Lonnie J. King,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 96-8302 Filed 4-3-96; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 95-NM-231-AD]

Airworthiness Directives; Dornier Model 328-100 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain Dornier Model 328-100 series airplanes. This proposal would require replacement of a bus power control unit (BPCU) and two generator control units (GCU) with new improved units. This proposal is prompted by results of the manufacturer's re-certification and laboratory testing of a BPCU, which revealed abnormal functions of the BPCU and the GCU. The actions specified by the proposed AD are intended to prevent such abnormal functions, which could result in electrical short circuits in the electrical power distribution systems and a subsequent fire.

DATES: Comments must be received by May 15, 1996.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 95-NM-231-AD, 1601 Lind Avenue SW., Renton, Washington 98055-4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Dornier Luftfahrt GmbH, P.O. Box 1103, D-82230 Wessling, Germany. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: Gary Lium, Aerospace Engineer,