

Rules and Regulations

Federal Register

Vol. 60, No. 84

Tuesday, May 2, 1995

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

DEPARTMENT OF AGRICULTURE

Office of the Secretary

7 CFR Part 6

Dairy Tariff-Rate Import Quota Licensing

AGENCY: Office of the Secretary, USDA.

ACTION: Interim rule.

SUMMARY: This rule amends Import Regulation 1, Revision 7 which governs the administration of the import licensing system for certain dairy products which will be subject to in-quota tariff rates established in the Harmonized Tariff Schedule of the United States resulting from the entry into force of certain provisions in the Uruguay Round Agreement on July 1, 1995, and with respect to the licensing for certain dairy product shipments denied entry during January 1–3, 1995.

DATES: This interim rule will be effective upon May 2, 1995. Comments should be submitted on or before June 16, 1995, to be assured of consideration.

ADDRESSES: Comments should be sent to Richard Warsack, Dairy Import Quota Manager, Import Policies and Programs Division, Room 5531–S, Foreign Agricultural Service, U.S. Department of Agriculture, 14th and Independence Avenue, S.W., Agricultural Box 1025, Washington, D.C. 20250–1025. All comments received will be available for public inspection in room 5541–S at the above address.

FOR FURTHER INFORMATION CONTACT: Diana Wanamaker, Group Leader, Import Programs Group, Import Policies and Programs Division, Room 5531–S, Foreign Agricultural Service, U.S. Department of Agriculture, 14th and Independence Avenue, S.W., Washington, D.C. 20250, or telephone (202) 720–2916.

SUPPLEMENTARY INFORMATION:

Executive Order 12866

This supplement to the interim rule is issued in conformance with Executive Order 12866. It has been determined to be significant for the purposes of E.O. 12866 and, therefore, has been reviewed by the Office of Management and Budget (OMB).

Regulatory Flexibility Act

It has been determined that the Regulatory Flexibility Act is not applicable to this interim rule relating to foreign affairs since the Office of the Secretary is not required by 5 U.S.C. 553 or any other provision of law to publish a notice of proposed rulemaking with respect to the subject matter of this rule.

Executive Order 12372

This program is not subject to the provisions of Executive Order 12372, which requires intergovernmental consultation with State and local officials. See notice related to 7 CFR part 3015, subpart V, published at 48 FR 29115 (June 24, 1983).

Environmental Evaluation

It has been determined by an environmental evaluation that this action will not have a significant impact on the quality of the human environment. Therefore, neither an Environmental Assessment nor an Environmental Impact Statement is needed.

Paperwork Reduction Act

This interim rule amends the existing information collection as approved by the Office of Management and Budget (OMB) pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*), under OMB control number 0551–0001, expiring June 30, 1997.

Due to the time constraints of implementing this interim rule, the agency has requested emergency clearance of this addendum from OMB. Comments on the information collection may be sent to the Office of Information and Regulatory Affairs, Office of Management and Budget, Room 10202, NEOB, Washington, D.C. 20503. Attention: Desk Officer for USDA.

Executive Order 12778

This interim rule has been reviewed under Executive Order 12778. The provisions of this supplement to the

interim rule would have preemptive effect with respect to any state or local laws, regulations, or policies which conflict with such provisions or which otherwise impede their full implementation. The interim rule would not have retroactive effect.

Background

This interim rule amends Import Regulation 1, Revision 7 which governs the administration of the import licensing system for certain dairy products which are subject to in-quota tariff rates proclaimed in the Harmonized Tariff Schedule of the United States (HTS). Imports of certain cheese and non-cheese dairy products are subject to tariff-rate quotas proclaimed in the HTS as a result of the entry into force of the Uruguay Round Agreement.

These amendments to the Import Regulation are being published as an interim rule because the Uruguay Round commitments taking effect on July 1, 1995, were not finalized pursuant to bilateral agreements until recently and it is necessary to provide an application period as soon as possible in order to issue licenses prior to the effective date. With respect to certain dairy product shipments denied entry during January 1–3, 1995, these licenses must also be issued as soon as possible to fulfill our Uruguay Round commitments. Therefore, good cause is shown to publish this rule as interim without prior public participation.

This interim rule is issued under the authority of section 103 and 404 of the Uruguay Round Agreements Act and the notes to Chapter 4 and General Note 15 of the HTS. It completes the Uruguay Round implementation process for the 1995 quota year by establishing the import licensing system for the quantities of cheese and non-cheese dairy products subject to in-quota tariff rates in the HTS effective July 1, 1995.

The following changes made by this interim rule are intended to fulfill the Uruguay Round obligations of the United States and to facilitate the administration of the tariff-rate import quota licensing system for 1995.

1. The Import Regulation is amended to: (1) Administer Uruguay Round tariff-rate quotas for those countries whose Uruguay Round schedules of concessions will take effect on July 1, 1995; (2) establish Appendix 3 supplementary licenses for such