

Notices

Federal Register

Vol. 71, No. 82

Friday, April 28, 2006

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[Doc. No. FV06-372]

Notice of Change in Interest Rate Awarded in Reparation Proceedings Under the Perishable Agricultural Commodities Act

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Notice.

SUMMARY: The Department of Agriculture (USDA) has changed the method used to calculate the interest to be awarded in reparation awards issued under the Perishable Agricultural Commodities Act (PACA).

Additional Information: Contact Dexter Thomas, Senior Marketing Specialist, PACA Branch, Fruit and Vegetable Programs, AMS, USDA, 1400 Independence Avenue, SW., Room 2095—South Building, Mail Stop 0242, Washington, DC 20250-0242. E-mail—dexter.thomas@usda.gov. This notice will also be posted on the Internet at <http://www.ams.usda.gov/fv/paca.htm>.

SUPPLEMENTARY INFORMATION: Since 1992, reparation awards issued pursuant to the provisions of the Perishable Agricultural Commodities Act, 1930, as amended (7 U.S.C. 499a *et seq.*) (PACA), have included interest at the rate of 10 percent per annum on the basic damage award to provide the injured party the full amount of damages sustained. Public notice is hereby given that the Secretary of Agriculture, through the Judicial Officer, will now assess interest in PACA reparation awards consistent with the methodology set forth in 28 U.S.C. 1961 which sets forth a uniform rate of interest on any monetary judgment in a civil case recovered in district court, as well as final judgments against the United States in the United States Court of Appeals for the Federal circuit, and judgments of the United States Court of Federal Claims.

In an Order on Reconsideration issued on February 21, 2006, in a reparation proceeding under the PACA (*PGB International, LLC, v. Bayche Companies, Inc.*, PACA Docket Number R-05-118, Decision on Reconsideration (2006)), the Judicial Officer noted that there should be consistency in the rate of interest on monetary judgments awarded in all federal forums. Since a claim can be pursued in a federal district court rather than under the PACA, and since the decision of the Secretary is appealable to the Federal district courts, the Judicial Officer found it appropriate for the Secretary to follow the same procedural statute for assessing interest on money judgments as in civil cases recovered in other Federal courts. The Judicial Officer further noted that other federal agencies have also determined that it is appropriate to utilize the formula stated in 28 U.S.C. 1961 to set the interest rate on monetary awards made in an administrative forum.

Accordingly, all reparation awards issued under the PACA subsequent to the Judicial Officer's February 21, 2006, Order shall be calculated in accordance with 28 U.S.C. 1961. The interest rate shall be calculated on the date of the Order, at a rate equal to the weekly average 1-year constant maturity treasury yield, as published by the Board of Governors of the Federal Reserve System, for the calendar week preceding the date of the Order.

Dated: April 24, 2006.

Lloyd C. Day,

Administrator, Agricultural Marketing Service.

[FR Doc. E6-6388 Filed 4-27-06; 8:45 am]

BILLING CODE 3410-02-P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. APHIS-2006-0068]

Notice of Request for Extension of Approval of an Information Collection; Animal Welfare

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Extension of approval of an information collection; comment request.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the Animal and Plant Health Inspection Service's intention to request an extension of approval of an information collection in support of regulations issued under the Animal Welfare Act governing the humane handling, care, treatment, and transportation of certain animals by dealers, research facilities, exhibitors, carriers, and intermediate handlers.

DATES: We will consider all comments that we receive on or before June 27, 2006.

ADDRESSES: You may submit comments by either of the following methods:

- Federal eRulemaking Portal: Go to <http://www.regulations.gov> and, in the lower "Search Regulations and Federal Actions" box, select "Animal and Plant Health Inspection Service" from the agency drop-down menu, then click on "Submit." In the Docket ID column, select APHIS-2006-0068 to submit or view public comments and to view supporting and related materials available electronically. Information on using Regulations.gov, including instructions for accessing documents, submitting comments, and viewing the docket after the close of the comment period, is available through the site's "User Tips" link.

- Postal Mail/Commercial Delivery: Please send four copies of your comment (an original and three copies) to Docket No. APHIS-2006-0068, Regulatory Analysis and Development, PPD, APHIS, Station 3A-03.8, 4700 River Road Unit 118, Riverdale, MD 20737-1238. Please state that your comment refers to Docket No. APHIS-2006-0068.

Reading Room: You may read any comments that we receive on this docket in our reading room. The reading room is located in room 1141 of the USDA South Building, 14th Street and Independence Avenue, SW., Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 690-2817 before coming.

Other Information: Additional information about APHIS and its programs is available on the Internet at <http://www.aphis.usda.gov>.

FOR FURTHER INFORMATION CONTACT: For information regarding the regulations