

# Rules and Regulations

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## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

#### 7 CFR Part 60

[Docket No. AMS-LS-06-0166; LS-03-04]

RIN 0581-AC26

#### Mandatory Country of Origin Labeling of Fish and Shellfish

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Interim final rule; reopening of comment period.

**SUMMARY:** The Agricultural Marketing Service (AMS) is reopening the comment period for 60 days for the interim final rule for mandatory country of origin labeling (COOL) for fish and shellfish covered commodities that was published in the **Federal Register** on October 5, 2004 (69 FR 59708). The interim final rule requires certain retailers and their suppliers to notify their customers of the country of origin and the method of production (wild and/or farm-raised) of specified fish and shellfish products. The interim final rule also specifies recordkeeping responsibilities for affected retailers and their suppliers. AMS requests general comments on the interim final rule. All affected persons are hereby given notice of the opportunity to submit written data and views concerning the interim final rule. AMS will review the submitted comments and information as it promulgates a final rule for mandatory COOL for fish and shellfish.

**DATES:** Comments must be submitted on or before August 20, 2007, to be assured of consideration.

**ADDRESSES:** Comments should be submitted through the internet at <http://www.regulations.gov>. Send written comments to: Country of Origin Labeling Program, Room 2607-S; Agricultural Marketing Service (AMS),

USDA; 1400 Independence Avenue, SW., Washington, DC 20250-0254, or by facsimile to (202) 720-1112. Comments received will be posted on the Web site <http://www.regulations.gov>. Comments sent to the above location that specifically pertain to the information collection and recordkeeping requirements should also be sent to the Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), New Executive Office Building, 725 17th Street, NW., Room 725, Washington, DC 20503.

**FOR FURTHER INFORMATION CONTACT:** Martin O'Connor; Chief, Standards, Analysis, and Technology Branch; Livestock and Seed Program, AMS, USDA, by telephone on (202) 720-4486, or via e-mail to: [COOL@usda.gov](mailto:COOL@usda.gov). Information can also be found at <http://www.ams.usda.gov/cool/>.

**SUPPLEMENTARY INFORMATION:** The Farm Security and Rural Investment Act of 2002 (Farm Bill) (7 U.S.C. 7901) and the 2002 Supplemental Appropriations Act (Appropriations Act) (Pub. L. 107-206) amended the Agricultural Marketing Act of 1946 (7 U.S.C. 1621 et seq.) by adding 7 U.S.C. 1638-1638d to direct the Secretary of Agriculture to promulgate regulations by September 30, 2004, requiring retailers to notify their customers of the country of origin of covered commodities. On October 30, 2003, AMS published a proposed rule for mandatory COOL for all covered commodities—beef, lamb, pork, fish, perishable agricultural commodities, and peanuts (68 FR 61944). Subsequently, the FY 2004 Consolidated Appropriations Act (Pub. L. 108-199) delayed the applicability of mandatory COOL for all covered commodities except wild and farm-raised fish and shellfish until September 30, 2006. The Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act of 2006 (Pub. L. 109-97) further delayed the applicability of mandatory COOL for all covered commodities except wild and farm-raised fish and shellfish until September 30, 2008. On October 5, 2004, AMS published an interim final rule (69 FR 59708) for the mandatory COOL program for fish and shellfish. The interim final rule can be found at: <http://www.ams.usda.gov/cool/index.htm>. The interim final rule became effective on April 4, 2005.

AMS reopened the interim final rule's comment period for 90 days on November 27, 2006 (71 FR 68431). The reopened comment period was limited to comments concerning the economic impacts of the interim final rule, including implementation costs, maintenance costs, the burden of the information collection and recordkeeping requirements, benefits and net economic impacts. Comments and information received as a result of the reopened interim final rule's comment period, to the extent relevant, would be reviewed in connection with any final regulatory action for fish and shellfish and any of the other covered commodities.

In preparation for promulgating a final rule for mandatory COOL for fish and shellfish, AMS now seeks comments on general aspects of the interim final rule's provisions. Given that the interim final rule has been in effect for more than 2 years, affected retailers and their suppliers now have considerable experience in complying with the requirements, and have perspective relating to the information that is provided under the program and the program's costs and benefits. AMS invites interested parties to submit comments, data, or other relevant information on the mandatory COOL program set forth in the interim final rule.

**Authority:** 7 U.S.C. 1621 et seq.

Dated: June 14, 2007.

**Lloyd C. Day,**

Administrator, Agricultural Marketing Service.

[FR Doc. 07-3028 Filed 6-15-07; 8:53 am]

**BILLING CODE 3410-02-M**

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

#### 7 CFR Part 989

[Docket No. AMS-FV-07-0076; FV04-989-3 C]

#### Raisins Produced From Grapes Grown in California; Change to Reporting Requirements Regarding Other Seedless Raisins; Correction

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Correcting amendment.

**SUMMARY:** The Agricultural Marketing Service published a final rule in the **Federal Register** on September 28, 2004 (69 FR 57822). The document changed reporting requirements regarding Other Seedless varietal type raisins under the California raisin marketing order. However, three paragraphs in one subpart of the marketing order's rules and regulations were inadvertently omitted from subsequent issues of the Code of Federal Regulations (CFR). This document identifies the three paragraphs in the subpart that need to be reinserted into Title 7 of the CFR, Part 989.

**DATES:** *Effective Date:* Effective on June 20, 2007.

**FOR FURTHER INFORMATION CONTACT:** Rose Aguayo, Marketing Specialist, or Kurt J. Kimmel, Regional Manager, Marketing Order Administration Branch, Fruit and Vegetable Programs, AMS, USDA; Telephone: (559) 487-5901, Fax: (559) 487-5906; or E-mail: [Rose.Aguayo@usda.gov](mailto:Rose.Aguayo@usda.gov) or [Kurt.Kimmel@usda.gov](mailto:Kurt.Kimmel@usda.gov).

**SUPPLEMENTARY INFORMATION:** This document provides correcting amendments to Marketing Order 989 found at 7 CFR part 989 so that handlers of organically-produced Other Seedless varietal type raisins continue to report inventory, acquisitions, and disposition of such raisins to the Raisin Administrative Committee.

#### List of Subjects in 7 CFR Part 989

Marketing agreements, Raisins, Reporting and recordkeeping requirements.

■ Accordingly, 7 CFR part 989 is corrected by making the following correcting amendments:

#### PART 989—RAISINS PRODUCED FROM GRAPES GROWN IN CALIFORNIA

■ 1. The authority citation for 7 CFR part 989 continues to read as follows:

**Authority:** 7 U.S.C. 601-674.

■ 2. Amend paragraph (g) of § 989.173 by adding paragraphs (g)(1) through (g)(3) to read as follows:

#### § 989.173 Reports.

\* \* \* \* \*

(g) \* \* \*

(1) *Inventory report of organically-produced raisins.* Each handler shall submit to the Committee by the close of business on July 31 of each crop year, and not later than the following August 6, on an appropriate form provided by the Committee, a report showing, with respect to the organically-produced raisins held by such handler:

(i) The quantity of free tonnage raisins, segregated as to locations where they are stored and whether they are natural condition or packed;

(ii) The quantity of reserve tonnage raisins held for the account of the Committee;

(iii) The quantity of off-grade raisins segregated as to those for reconditioning and those for disposition as such.

(2) *Acquisition report of organically-produced standard raisins.* Each handler shall submit to the Committee for each week (Sunday through Saturday or such other 7-day period for which the handler has submitted a proposal to and received approval from the Committee) and not later than the following Wednesday, on an appropriate form provided by the Committee, a report showing the following:

(i) The total net weight of the standard raisins acquired during the reporting period, segregated when appropriate, as to free tonnage and reserve tonnage;

(ii) The location of the reserve tonnage; and

(iii) The cumulative totals of such acquisitions (as so segregated) from the beginning of the current crop year.

(iv) Upon request of the Committee, each handler shall provide copies of the organic certificate(s) applicable to the quantity of raisins reported as acquired.

(3) *Disposition report of organically-produced raisins.* No later than the seventh day of each month, handlers who are not processors shall submit to the Committee, on an appropriate form provided by the Committee, a report showing the aggregate quantity of free tonnage packed raisins and standard natural condition raisins which were shipped or otherwise disposed of by such handler during the preceding month (exclusive of transfer within the State of California between the plants of any such handler and from such handler to other handlers). Such information shall include:

(i) Domestic outlets (exclusive of Federal government purchases) according to the quantity shipped in consumer cartons, the quantity of bags having a net weight content of 4 pounds or less, and the quantity shipped in bulk packs (including, but not limited to those in bags having a net weight content of more than 4 pounds);

(ii) Federal government purchases;

(iii) Export outlets according to quantity shipped in consumer cartons, the quantity shipped in bags having a net weight of 4 pounds or less, and the quantity shipped in bulk packs (including, but not limited to those in bags having a net weight content of more than 4 pounds);

(iv) Export outlets, by countries of destination; and

(v) Each of any other outlets in which the handler disposed of such raisins other than by any transfer which is excluded by the preceding sentence.

\* \* \* \* \*

Dated: June 13, 2007.

**Lloyd C. Day,**

*Administrator, Agricultural Marketing Service.*

[FR Doc. E7-11829 Filed 6-19-07; 8:45 am]

**BILLING CODE 3410-02-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2007-27152; Directorate Identifier 2006-NM-219-AD; Amendment 39-15105; AD 2007-13-01]

RIN 2120-AA64

#### Airworthiness Directives; McDonnell Douglas Model 717-200 Airplanes

**AGENCY:** Federal Aviation Administration (FAA), Department of Transportation (DOT).

**ACTION:** Final rule.

**SUMMARY:** The FAA is adopting a new airworthiness directive (AD) for certain McDonnell Douglas Model 717-200 airplanes. This AD requires installing a certain junction(s) and changing the wiring of the first officer's pitot static heater system. This AD results from a report of temporary loss of the auto-flight function with displays of suspect or erratic airspeed indications. We are issuing this AD to prevent display of suspect or erratic airspeed indications during heavy rain conditions, which could reduce the ability of the flightcrew to maintain the safe flight and landing of the airplane.

**DATES:** This AD becomes effective July 25, 2007.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in the AD as of July 25, 2007.

**ADDRESSES:** You may examine the AD docket on the Internet at <http://dms.dot.gov> or in person at the U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC.

Contact Boeing Commercial Airplanes, Long Beach Division, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Data and