

Regulations.gov) or obtained from the person listed under **FOR FURTHER INFORMATION CONTACT**.

The interim rule will benefit Texas swine producers who sell non-slaughter boars and sows interstate (other than those Texas swine farms that already have validated brucellosis-free herds). They will be able to forgo testing costs that are equivalent to between 1 and 2 percent of the average value of a breeding sow. The extent to which a particular operation will benefit from the interim rule will depend upon the number of non-slaughter sows and boars moved interstate.

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

#### **Executive Order 12372**

This program/activity is listed in the Catalog of Federal Domestic Assistance under No. 10.025 and is subject to Executive Order 12372, which requires intergovernmental consultation with State and local officials. (See 7 CFR part 3015, subpart V.)

#### **Executive Order 12988**

This rule has been reviewed under Executive Order 12988, Civil Justice Reform. This rule: (1) Has no retroactive effect and (2) does not require administrative proceedings before parties may file suit in court challenging this rule.

#### **Paperwork Reduction Act**

This interim rule contains no 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 78**

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

Accordingly, we are amending 9 CFR part 78 as follows:

#### **PART 78—BRUCELLOSIS**

■ 1. The authority citation for part 78 continues to read as follows:

**Authority:** 7 U.S.C. 8301–8317; 7 CFR 2.22, 2.80, and 371.4.

#### **§ 78.43 [Amended]**

■ 2. Section 78.43 is amended by adding, in alphabetical order, the word “Texas,”

Done in Washington, DC, this 13th day of May 2011.

**Kevin Shea,**

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 2011–12320 Filed 5–18–11; 8:45 am]

**BILLING CODE 3410–34–P**

### **DEPARTMENT OF AGRICULTURE**

#### **Animal and Plant Health Inspection Service**

#### **9 CFR Part 95**

[Docket No. APHIS–2006–0113]

RIN 0579–AC11

#### **Importation of Swine Hides and Skins, Bird Trophies, and Ruminant Hides and Skins; Technical Amendment**

**AGENCY:** Animal and Plant Health Inspection Service, USDA.

**ACTION:** Final rule; technical amendment.

**SUMMARY:** In a final rule that was published in the *Federal Register* on December 15, 2009, and effective on January 14, 2010, we amended the regulations governing the importation of animal byproducts to, among other things, provide specific conditions under which deer and other ruminant hides and skins from Mexico could be imported into the United States in order to protect U.S. livestock from the introduction of bovine babesiosis. It was our intent to indicate that deer and ruminant hides and skins from Mexico may not go to an approved establishment upon importation into the United States rather than comply with the specific conditions established in the final rule. This document corrects that error.

**DATES:** *Effective Date:* May 19, 2011.

**FOR FURTHER INFORMATION CONTACT:** Dr. Tracye Butler, Senior Staff Veterinarian, Technical Trade Services, National Center for Import and Export, VS, APHIS, 4700 River Road, Unit 39, Riverdale, MD 20737–1231; (301) 734–7476.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

In a final rule that was published in the *Federal Register* on December 15, 2009 (74 FR 66222–66227, Docket No. APHIS–2006–0113), and effective on January 14, 2010, we amended the regulations governing the importation of animal byproducts to, among other things, provide specific conditions under which deer and other ruminant hides and skins from Mexico could be

imported into the United States in order to protect U.S. livestock from the introduction of bovine babesiosis.

In the final rule, we added provisions for the importation of ruminant hides and skins from Mexico to § 95.5. We provided that hides and skins from Mexico may enter the United States without other restriction if they are hard dried (paragraph (a)(2)); have been pickled in a solution of salt containing mineral acid which has a pH of less than or equal to 5 and placed in containers while wet (paragraph (a)(4)); or have been treated with lime so as to have become dehaired and ready for preparation into rawhide products (paragraph (a)(5)).

In order to address the specific risk to U.S. livestock of bovine babesiosis, we are amending paragraph (b)(1) of § 95.5 to add the statement that ruminant hides and skins from Mexico must also be free of ticks in addition to having been subjected to any one of the treatments specified in paragraphs (a)(2), (a)(4), or (a)(5) of § 95.5.

Hides and skins from Mexico may also enter the United States without other restriction if they are found to have been frozen solid for 24 hours upon inspection by an inspector or are accompanied by a certificate attesting to that fact issued by the shipper or importer and are free from ticks; are free from ticks and are accompanied by a certificate issued by a full-time salaried veterinary officer of the Government of Mexico stating that they have been treated with an acaricide; or are bovine hides taken from cattle that were subjected to a tickicidal dip in one of the permitted dips at a Mexican facility 7 to 12 days prior to slaughter, and are free from ticks. These requirements are intended to protect U.S. livestock from the introduction of bovine babesiosis.

The introductory text of § 95.5 provides that untanned hides and skins and bird trophies may be imported into the United States if they meet the requirements of that section or are handled at an approved establishment as set forth in § 95.6. Our final rule should have indicated that ruminant hides and skins from Mexico may not be handled at approved establishments because of the risk of the hides and skins being infested with ticks carrying bovine babesiosis. Since the publication of the final rule, we have not authorized any approved establishments to receive ruminant hides and skins from Mexico.

Therefore, we are amending the introductory text of § 95.5 so that it clearly states that ruminant hides and skins from Mexico that do not meet the requirements of § 95.5 are not eligible for importation for handling at an

approved establishment as set forth in § 95.6.

To reflect this, we are also amending the introductory text of § 95.6 to exclude ruminant hides and skins from Mexico from the articles that can be offered for importation when they do not meet the conditions or requirements of § 95.5 if they are handled and treated at the port of entry under the further provisions of § 95.6.

#### List of Subjects in 9 CFR Part 95

Animal feeds, Hay, Imports, Livestock, Reporting and recordkeeping requirements, Straw, Transportation.

Accordingly, we are amending 9 CFR part 95 as follows:

#### **PART 95—SANITARY CONTROL OF ANIMAL BYPRODUCTS (EXCEPT CASINGS), AND HAY AND STRAW, OFFERED FOR ENTRY INTO THE UNITED STATES**

■ 1. The authority citation for part 95 continues to read as follows:

**Authority:** 7 U.S.C. 8301–8317; 21 U.S.C. 136 and 136a; 31 U.S.C. 9701; 7 CFR 2.22, 2.80, and 371.4.

■ 2. Section 95.5 is amended as follows:

■ a. The introductory text is revised to read as set forth below.

■ b. In paragraph (b)(1), by adding the words “are free of ticks and” after the word “They”.

#### **§ 95.5 Untanned hides and skins and bird trophies; requirements for entry.**

Untanned hides and skins and bird trophies<sup>1</sup> may be imported into the United States if they meet the requirements of this section. Except for ruminant hides or skins from Mexico, untanned hides and skins and bird trophies may also be imported if handled at an approved establishment as set forth in § 95.6.

\* \* \* \* \*

■ 3. In § 95.6, the introductory text is revised to read as follows:

#### **§ 95.6 Untanned hides, skins, and bird trophies; importation permitted subject to restrictions.**

Except for ruminant hides or skins from Mexico, hides or skins or bird trophies offered for importation which do not meet the conditions or requirements of § 95.5 shall be handled and treated in the following manner after arrival at the port of entry:

\* \* \* \* \*

<sup>1</sup> The importation of bird trophies is also subject to restrictions under § 95.30.

Done in Washington, DC, this 13th day of May 2011.

**Kevin Shea,**

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 2011–12319 Filed 5–18–11; 8:45 am]

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## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **14 CFR Part 71**

**[Docket No. FAA–2011–0432; Airspace Docket No. 11–ACE–8]**

#### **Revocation of Class E Airspace; Ozark, MO**

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

**ACTION:** Final rule.

**SUMMARY:** This action removes Class E airspace at Ozark, MO. Abandonment of the former Air Park South Airport and cancellation of all Standard Instrument Approach Procedures has eliminated the need for controlled airspace in the Ozark, MO area. The FAA is taking this action to ensure the efficient use of airspace within the National Airspace System.

**DATES:** Effective date: 0901 UTC, August 25, 2011. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

**FOR FURTHER INFORMATION CONTACT:** Scott Enander, Central Service Center, Operations Support Group, Federal Aviation Administration, Southwest Region, 2601 Meacham Blvd., Fort Worth, TX 76137; telephone (817) 321–7716.

#### **SUPPLEMENTARY INFORMATION:**

##### **The Rule**

This action amends Title 14 Code of Federal Regulations (14 CFR) Part 71 by removing Class E airspace in the Ozark, MO, area. Abandonment of the former Air Park South Airport and cancellation of all Standard Instrument Approach Procedures has eliminated the need for controlled airspace. Since this action eliminates the impact of controlled airspace on users of the National Airspace System in the vicinity of Ozark, MO, notice and public procedures under 5 U.S.C. 553(b) are unnecessary.

Class E airspace designations are published in paragraph 6005, of FAA Order 7400.9U, dated August 18, 2010,

and effective September 15, 2010, which is incorporated by reference in 14 CFR part 71.1. The Class E airspace designation listed in this document will be published subsequently in this Order.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this regulation: (1) is not a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

The FAA’s authority to issue rules regarding aviation safety is found in Title 49 of the U.S. Code. Subtitle 1, Section 106, describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency’s authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it removes controlled airspace at Air Park South Airport, Ozark, MO.

#### **List of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (air).

#### **Adoption of the Amendment**

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR Part 71 as follows:

#### **PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS**

■ 1. The authority citation for 14 CFR Part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40113, 40120; E. O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.