

c. In the definition of *official calfhood vaccinate*, by revising paragraph (a) to read as set forth below.

d. By amending the definition of *official test* as follows:

i. In paragraph (a)(2), by revising the heading for the first table to read "SPT OR STT CLASSIFICATION—OFFICIAL VACCINATES VACCINATED WITH A *Brucella abortus* STRAIN 19 APPROVED BRUCELLA VACCINE" and by adding a new table immediately following the first table to read as set forth below.

ii. In paragraph (a)(3), the introductory text of paragraph (a)(3)(ii) is amended by adding the words "vaccinated with a *Brucella abortus* Strain 19 approved brucella vaccine" after the word "vaccinates", and a new paragraph (a)(3)(iii) is added to read as set forth below.

iii. In paragraph (a)(4), the introductory text of paragraph (a)(4)(ii) is amended by adding the words "vaccinated with a *Brucella abortus* Strain 19 approved brucella vaccine" after the word "vaccinates", and a new paragraph (a)(4)(iii) is added to read as set forth below.

iv. The introductory text of paragraph (a)(5)(ii) is amended by removing the words "and official calfhood vaccinates" and adding the words "with a *Brucella abortus* Strain 19 approved brucella vaccine and official calfhood vaccinates vaccinated with a *Brucella abortus* Strain 19 approved brucella vaccine" in their place.

v. The introductory text of paragraph (a)(5)(iii) is amended by adding the words "with a *Brucella abortus* Strain 19 approved brucella vaccine" immediately after the word "vaccination".

vi. A new paragraph (a)(5)(iv) is added to read as set forth below.

§ 78.1 Definitions.

Approved brucella vaccine. A *Brucella* product approved by and produced under license of the United States Department of Agriculture for injection into cattle or bison to enhance their resistance to brucellosis.

Official adult vaccinate. (a) Female cattle or female bison older than the specified ages defined for official calfhood vaccinate and vaccinated by an APHIS representative, State representative, or accredited veterinarian with a reduced dose approved brucella vaccine, diluted so as to contain at least 300 million and not more than 1 billion live cells per 2 mL dose of *Brucella abortus* Strain 19 vaccine or at the dosage indicated on

the label instructions for other approved brucella vaccines, as part of a whole herd vaccination plan authorized jointly by the State animal health official and the Veterinarian in Charge; and

Official calfhood vaccinate. (a) Female cattle or female bison vaccinated while from 4 through 12 months of age by an APHIS representative, State representative, or accredited veterinarian with a reduced dose approved brucella vaccine containing at least 2.7 billion and not more than 10 billion live cells per 2 mL dose of *Brucella abortus* Strain 19 vaccine or at the dosage indicated on the label instructions for other approved brucella vaccines; and

Official test.
(a) * * *
(2) * * *

OFFICIAL VACCINATES VACCINATED WITH AN APPROVED BRUCELLA VACCINE OTHER THAN A BRUCELLA ABORTUS STRAIN 19 APPROVED BRUCELLA VACCINE

Titer			Classification
1:50	1:100	1:200	
—	—	—	Negative.
	—	—	Suspect.
+	—	—	Do.
+		—	Do.
+	+	—	Reactor.
+	+		Do.
+	+	+	Do.

— No agglutination.
| Incomplete agglutination.
+ Complete agglutination.

(3) * * *
(iii) Official vaccinates vaccinated with an approved brucella vaccine other than a *Brucella abortus* Strain 19 approved brucella vaccine:

(A) Fifty percent fixation (2 plus) in a dilution of 1:20 or higher—brucellosis reactor;

(B) Fifty percent fixation (2 plus) in a dilution of 1:10 but less than 50 percent fixation (2 plus) in a dilution of 1:20—brucellosis suspect;

(C) Less than 50 percent fixation (2 plus) in a dilution of 1:10—brucellosis negative.

(4) * * *
(iv) Official vaccinates vaccinated with an approved brucella vaccine other than a *Brucella abortus* Strain 19 approved brucella vaccine:

(A) Fixation in a dilution of 1:10 or higher—brucellosis reactor;

(B) Fixation in a dilution of 1:5 but no fixation in a dilution of 1:10—brucellosis suspect;

(C) No fixation in a dilution of 1:5 or lower—brucellosis negative.

(5) * * *
(v) Official vaccinates vaccinated with an approved brucella vaccine other than a *Brucella abortus* Strain 19 approved brucella vaccine:

(A) Complete agglutination at a titer of 1:25 or higher—brucellosis reactor;

(B) Less than complete agglutination at a titer of 1:25—brucellosis negative.

* * * * *
Done in Washington, DC, this 26th day of March 1996.

Lonnie J. King,
Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 96-7837 Filed 3-29-96; 8:45 am]
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9 CFR Part 92

[Docket No. 95-052-2]

Horses From Bermuda and the British Virgin Islands; Quarantine Requirements

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Final rule.

SUMMARY: We are amending the regulations regarding the importation of horses from Bermuda and the British Virgin Islands to remove the requirement that such horses be quarantined for not less than 7 days upon arrival in the United States. This action is warranted because Bermuda and the British Virgin Islands have reported no cases of Venezuelan equine encephalomyelitis (VEE), and it appears that horses imported from Bermuda and the British Virgin Islands with less than a 7-day quarantine would not pose a risk of transmitting VEE to horses in the United States.

EFFECTIVE DATE: May 1, 1996.

FOR FURTHER INFORMATION CONTACT: Dr. Joyce Bowling, Staff Veterinarian, Import/Export Animals, National Center for Import and Export, VS, APHIS, Suite 3B08, 4700 River Road Unit 39, Riverdale, MD 20737-1231, (301) 734-6479, or e-mail: jbowling@aphis.usda.gov.

SUPPLEMENTARY INFORMATION:

Background

The regulations in 9 CFR part 92, referred to below as the regulations, govern the importation into the United States of specified animals and animal products to prevent the introduction

into the United States of various animal diseases.

The regulations in § 92.308(a)(1) now require horses imported from all parts of the Western Hemisphere except Argentina, Canada, and Mexico to be quarantined for not less than 7 days upon arrival in the United States to prevent the introduction of Venezuelan equine encephalomyelitis (VEE). VEE is an equine viral disease, transmitted primarily by mosquitoes and other hematophagous (blood-feeding) insects, particularly flying insects, that results in a high mortality rate in animals infected with the disease. Although tests exist for the presence of VEE in horses, the tests currently available may yield positive results for horses that have been vaccinated for VEE but that are not otherwise affected with the disease. The most efficient method for initial identification of horses that may be infected with VEE is observation of the horses for clinical signs of the disease. A horse will usually exhibit signs of VEE within 2–5 days after contracting the disease. Seven days is considered the length of time necessary to ensure that any clinical signs of VEE manifest themselves.

On October 23, 1995, we published in the Federal Register (60 FR 54315–54316, Docket No. 95–052–1) a proposal to amend § 92.308(a)(1) of the regulations to exempt horses from Bermuda and the British Virgin Islands from the 7-day quarantine requirement. We also proposed to amend § 92.308(a)(1) of the regulations to specify that the purpose of this 7-day quarantine is to evaluate the horses for signs of VEE.

We solicited comments concerning our proposal for 60 days ending December 22, 1995. We did not receive any comments. The facts presented in the proposed rule still provide the basis for this final rule.

Therefore, based on the rationale set forth in the proposed rule, we are adopting the provisions of the proposal as a final rule without change. Executive Order 12866 and Regulatory Flexibility Act

This 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 rule will exempt horses imported into the United States from Bermuda and the British Virgin Islands from the requirement for a 7-day quarantine upon arrival. This action appears unlikely to have any significant economic impact on U.S. entities.

The United States had a total population of 2,049,522 horses in 1992.

There were 338,346 farms that kept horses. Over 98 percent of these farms had a market value of less than \$500,000, making them small entities by Small Business Administration standards.

There is a negligible risk of horses from Bermuda and the British Virgin Islands introducing VEE into the United States because no cases of VEE have ever been reported in Bermuda and the British Virgin Islands, and, based on documentation submitted by the Governments of Bermuda and the British Virgin Islands, it appears that no horses in these countries are affected with VEE. In addition, we do not expect that this action will result in any increase in the small number of horses imported into the United States from Bermuda and the British Virgin Islands. The total horse population in Bermuda is about 1,000, and only about 10 horses per year are imported from Bermuda into the United States. There are only 50 to 100 horses in the British Virgin Islands, and only a few of those are expected to be imported into the United States, and then only for temporary stays for exhibitions and racing. Under these circumstances, the imported horses will have no impact on market prices.

The only parties that will benefit from this reduced restriction are the potential importers of horses from Bermuda and the British Virgin Islands and those who use the foreign horses in exhibition and racing. The benefit to them arises from the reduced number of days required for quarantine. At present, horses coming from Bermuda and the British Virgin Islands are required to be quarantined for 7 days, while horses from countries free of VEE and certain other equine diseases are quarantined for only about 3 days. After the effective date of this final rule, horses from Bermuda and the British Virgin Islands will spend approximately 4 fewer days in quarantine, saving approximately \$427 per horse. Furthermore the reduction in the waiting period may induce more economic activity.

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 12778

This rule has been reviewed under Executive Order 12778, Civil Justice Reform. This rule: (1) Preempts all State and local laws and regulations that are inconsistent with this rule; (2) has no retroactive effect; and (3) does not require administrative proceedings

before parties may file suit in court challenging this rule.

Paperwork Reduction Act

This 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 92

Animal diseases, Imports, Livestock, Poultry and poultry products, Quarantine, Reporting and recordkeeping requirements.

Accordingly, 9 CFR part 92 is amended as follows:

PART 92—IMPORTATION OF CERTAIN ANIMALS AND POULTRY AND CERTAIN ANIMAL AND POULTRY PRODUCTS; INSPECTION AND OTHER REQUIREMENTS FOR CERTAIN MEANS OF CONVEYANCE AND SHIPPING CONTAINERS THEREON

1. The authority citation for part 92 continues to read as follows:

Authority: 7 U.S.C. 1622; 19 U.S.C. 1306; 21 U.S.C. 102–105, 111, 114a, 134a, 134b, 134c, 134d, 134f, 135, 136, and 136a; 31 U.S.C. 9701; 7 CFR 2.22, 2.80, 371.2(d).

2. In § 92.308, paragraph (a)(1) is revised to read as follows:

§ 92.308 Quarantine requirements.

(a) * * *

(1) Except as provided in §§ 92.317 and 92.324, and except with respect to horses from Argentina, Bermuda, and the British Virgin Islands, horses intended for importation from the Western Hemisphere shall be quarantined at a port designated in § 92.303 for not less than 7 days to be evaluated for signs of Venezuelan equine encephalomyelitis.

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Done in Washington, DC, this 26th day of March 1996.

Lonnie J. King,

Administrator, Animal and Plant Health Inspection Service.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 96–NM–45–AD; Amendment 39–9557; AD 96–07–08]

Airworthiness Directives; Airbus Model A320–111 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.