

§ 301.45-3(a) of the regulations, which lists generally infested areas, by adding Guernsey and Ottawa Counties in Ohio; Appomattox, Brunswick, Campbell, Charlotte, Halifax, Lunenburg, Mecklenburg, and Pittsylvania Counties in Virginia; Webster County in West Virginia; and Brown, Door, Kewaunee, and Manitowoc Counties in Wisconsin to the list of generally infested areas.

We are taking this action because, in cooperation with the States, the United States Department of Agriculture conducted surveys that detected all life stages of the gypsy moth in these areas. Based on these surveys, we determined that reproducing populations exist at significant levels in these areas. Eradication of these populations is not considered feasible because these areas are immediately adjacent to areas currently recognized to be generally infested and therefore subject to continued reinfestation.

**Emergency Action**

The Administrator of the Animal and Plant Health Inspection Service has determined that an emergency exists that warrants publication of this interim rule without prior opportunity for public comment. Immediate action is necessary because of the possibility that the gypsy moth could be spread artificially to noninfested areas of the United States, where it could cause economic loss due to defoliation of susceptible forest areas.

Because prior notice and other public procedures with respect to this action are impracticable and contrary to the public interest under these conditions, we find good cause under 5 U.S.C. 553 to make it effective upon publication in the **Federal Register**. We will consider comments that are received within 60 days of publication of this rule in the **Federal Register**. After the comment period closes, we will publish another document in the **Federal Register**. It will include a discussion of any comments we receive and any amendments we are making to the rule as a result of the comments.

**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 action amends the list of generally infested areas under the gypsy moth quarantine and regulations by adding areas in Ohio, Virginia, West Virginia, and Wisconsin. Immediate action is necessary in order to prevent

the artificial spread of gypsy moth to noninfested areas of the United States.

This emergency situation makes compliance with section 603 and timely compliance with section 604 of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) impracticable. If we determine that this rule would have a significant economic impact on a substantial number of small entities, then we will discuss the issues raised by section 604 of the Regulatory Flexibility Act in our Final Regulatory Flexibility Analysis.

**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) 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 7 CFR Part 301**

Agricultural commodities, Plant diseases and pests, Quarantine, Reporting and recordkeeping requirements, Transportation.

Accordingly, 7 CFR part 301 is amended as follows:

**PART 301—DOMESTIC QUARANTINE NOTICES**

1. The authority citation for part 301 continues to read as follows:

**Authority:** 7 U.S.C. 147a, 150bb, 150dd, 150ee, 150ff, 161, 162, and 164-167; 7 CFR 2.22, 2.80, and 371.2(c).

**§ 301.45 [Amended]**

2. In § 301.45, paragraph (a) is amended by removing the phrase “and West Virginia” and by adding the phrase “West Virginia, and Wisconsin” in its place.

3. In § 301.45-3, paragraph (a) is amended by adding an entry for Wisconsin, and by adding areas in the entries for Ohio, Virginia, and West Virginia, in alphabetical order, to read as follows:

**§ 301.45-3 Generally infested areas.**

* * *	* * *
Ohio	
* * *	* * *
	<i>Guernsey County.</i> The entire county.
* * *	* * *
	<i>Ottawa County.</i> The entire county.
* * *	* * *
Virginia	
* * *	* * *
	<i>Appomattox County.</i> The entire county.
* * *	* * *
	<i>Brunswick County.</i> The entire county.
* * *	* * *
	<i>Campbell County.</i> The entire county.
* * *	* * *
	<i>Charlotte County.</i> The entire county.
* * *	* * *
	<i>Halifax County.</i> The entire county.
* * *	* * *
	<i>Lunenburg County.</i> The entire county.
* * *	* * *
	<i>Mecklenburg County.</i> The entire county.
* * *	* * *
	<i>Pittsylvania County.</i> The entire county.
* * *	* * *
West Virginia	
* * *	* * *
	<i>Webster County.</i> The entire county.
* * *	* * *
Wisconsin	
	<i>Brown County.</i> The entire county.
	<i>Door County.</i> The entire county.
	<i>Kewaunee County.</i> The entire county.
	<i>Manitowoc County.</i> The entire county.

Done in Washington, DC, this 23rd day of May 1997.

**Charles P. Schwalbe,**  
*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 97-14200 Filed 5-29-97; 8:45 am]

BILLING CODE 3410-34-P

**TENNESSEE VALLEY AUTHORITY**

**18 CFR Part 1314**

**Book-Entry Procedures for TVA Power Securities Issued Through the Federal Reserve Banks; Technical Amendments**

**AGENCY:** Tennessee Valley Authority (TVA).

**ACTION:** Technical amendments.

**SUMMARY:** This document contains amendments to the regulations which were published in the **Federal Register**

on Tuesday, January 7, 1997 (62 FR 920). The regulations relate to the book-entry procedures for TVA Power Securities issued through the Federal Reserve Banks.

EFFECTIVE DATE: May 30, 1997.

FOR FURTHER INFORMATION CONTACT: Edward S. Christenbury at (423) 632-2241.

SUPPLEMENTARY INFORMATION:

Background

The regulations that are the subject of these technical amendments revised TVA's book-entry procedures to incorporate recent changes in commercial and property law and to bring them into accord with the revised book-entry procedures of the United States Department of Treasury published in the Federal Register on August 23, 1996 (61 FR 43626).

Need for Technical Amendments

As published, the regulations contain items which are in need of clarification.

List of Subjects in 18 CFR Part 1314

Accounting, Bonds, Brokers, Federal Reserve System, Reporting and recordkeeping requirements, Securities.

According, 18 CFR Part 1314 is amended by making the following technical amendments:

PART 1314—BOOK-ENTRY PROCEDURES FOR TVA POWER SECURITIES ISSUED THROUGH THE FEDERAL RESERVE BANKS

1. The authority citation for Part 1314 continues to read as follows:

Authority: 16 U.S.C. 831-831dd.

§ 1314.2 [Amended]

2. In § 1314.2, paragraph (i) is amended by revising "Book-entry Securities" to read "Book-entry TVA Power Securities" and paragraphs (g), (h), (t), and (v) are revised to read as follows:

§ 1314.2 Definition of terms.

\* \* \* \* \*

(g) Other TVA Power Evidences of Indebtedness means any TVA Power Security issued consistent with section 2.5 of the TVA Basic Bond Resolution (see paragraph (r) of this section).

(h) Participant (also called "holder" in the TVA Basic Bond Resolution and in other resolutions adopted by the TVA Board of Directors relating to Book-entry TVA Power Securities) means a Person

that maintains a Participant's Security Account with a Reserve Bank.

\* \* \* \* \*

(t) TVA Power Bond Anticipation Obligation means any TVA Power Security issued consistent with section 2.4 of the TVA Basic Bond Resolution.

\* \* \* \* \*

(v) TVA Power Security means a TVA Power Bond, TVA Power Bond Anticipation Obligation, TVA Power Note, or Other TVA Power Evidence of Indebtedness issued by TVA under Section 15d of the TVA Act, as amended.

§ 1314.3 [Amended]

3. In § 1314.3, paragraph (a)(3) is amended by revising "Securities Accounts" to read "Security Accounts".

§ 1314.4 [Amended]

4. In § 1314.4, paragraph (a) introductory text is amended by removing the semicolon and adding a colon in its place, paragraph (b) is amended in the first sentence by revising "securities account" to read "Security Account"; and paragraph (d) is amended by revising "Security Documentation" to read "Securities Documentation".

Dated: May 23, 1997.

John L. Dugger,

Assistant General Counsel.

[FR Doc. 97-14181 Filed 5-29-97; 8:45 am]

BILLING CODE 8120-01-M

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

21 CFR Part 1308

[DEA No. 160I]

Schedules of Controlled Substances: Exempt Anabolic Steroid Products

AGENCY: Drug Enforcement Administration, Department of Justice.

ACTION: Interim rule and request for comments.

SUMMARY: The Drug Enforcement Administration (DEA) is designating ten preparations as exempt anabolic steroid products. This action, as part of the ongoing implementation of the Anabolic Steroid Control Act of 1990, removes certain regulatory controls pertaining to Schedules III substances from the designated entities.

DATES: Effective Date: May 30, 1997. Comments must be submitted on or before July 29, 1997.

ADDRESSES: Comments and objections should be submitted to the Acting Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, Washington, DC 20537. Attention: DEA Federal Register Representative/CCR.

FOR FURTHER INFORMATION CONTACT: Frank L. Sapienza, Chief, Drug and Chemical Evaluation Section, 202-307-7183.

SUPPLEMENTARY INFORMATION: Section 1903 of the Anabolic Steroids Control Act of 1990 (ASCA) (title XIX of Pub. L. 101-647) provides that the Attorney General may exempt products which contain anabolic steroids from all or any part of the Controlled Substances Act (CSA) (21 U.S.C. 801 et seq.) if the products have no significant potential for abuse. The procedure for implementing this section of the ASCA is described in § 1308.33 of Title 21 Code of Federal Regulations. The purpose of this rule is to identify ten products for which applications were made and which the Acting Deputy Assistant Administrator finds meet the exempt anabolic steroid product criteria.

The Acting Deputy Assistant Administrator, Office of Diversion Control, having reviewed the applications, the recommendations of the Secretary of the Department of Health and Human Services, and other relevant information, finds that each of the products described below has no significant potential for abuse because of its concentration, preparation, mixture or delivery system. Therefore, pursuant to the authority vested in the Attorney General by title XIX of Public Law 101-647 as delegated to the Administrator of the DEA pursuant to 21 U.S.C. 871(a) and 28 CFR 0.100, the Acting Deputy Assistant Administrator hereby orders that the following anabolic steroid containing compounds, mixtures, or preparations be exempted from application of sections 302 through 309 and 1002 through 1004 of the CSA (21 U.S.C. 822-829 and 952-954) and §§ 1301.11, 1301.13, 1301.71 through 1301.76 of Title 21 Code of Federal Regulations for administrative purposes only and be included in the list of products described in 21 CFR 1308.34.