of this section, must be filed by November 1, 1997. Disposition of peanuts imported in excess of the 1997 peanut import quotas must be filed within 120 days of the peanuts' entry by the Customs Service. Extension of these reporting periods must be granted by the AMS on a case by case basis upon a showing that such extension would be justified. Requests for extension must be submitted in writing to the Marketing Order Administration Branch, Fruit and Vegetable Division, AMS, USDA, P.O. Box 96456, room 2525–S, Washington, DC 20090–6456, Attn: Peanut Imports or faxing the request to (202) 720–5698. An extension request must include the Customs Service entry number, relevant grade and aflatoxin certificates (if any) issued on the outstanding peanuts, and the reasons for delay in obtaining final disposition of the peanuts.

(4) Failure to fully comply with quality and handling requirements or failure to notify the Secretary of disposition of all foreign produced peanuts, as required under this section, may result in a compliance investigation by the Secretary. Falsification of reports submitted to the Secretary is a violation of Federal law punishable by fine or imprisonment, or both.

* * * * *

Dated: September 19, 1997.

Robert C. Keeney,

Director, Fruit and Vegetable Division.

[FR Doc. 97–25411 Filed 9–24–97; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 1205

1997 Amendment to Cotton Board Rules and Regulations Adjusting Supplemental Assessment on Imports

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Correction to final rule.

SUMMARY: This document corrects the final rule published September 2, 1997 (62 FR 46412) which amended the Cotton Board Rules and Regulations by lowering the value assigned to imported cotton for the purpose of calculating supplemental assessments collected for use by the Cotton Research and Promotion Program.

EFFECTIVE DATE: October 2, 1997.

FOR FURTHER INFORMATION CONTACT: Craig Shackelford, (202) 720-2259.

SUPPLEMENTARY INFORMATION:

Background

The Agricultural Marketing Service (AMS) amended the Cotton Board Rules and Regulations by lowering the value assigned to imported cotton for the purpose of calculating supplemental assessments collected for use by the Cotton Research and Promotion Program. This action is required by this regulation on an annual basis to ensure that the assessments collected on imported cotton and the cotton content of imported products remain similar to those paid on domestically produced cotton. As a result of changes in the 1997 Harmonized Tariff Schedule (HTS), numbering changes in the import assessment table are amended. Eleven HTS numbers were to be eliminated from the assessment table because negligible assessments have been collected on these numbers and their elimination would contribute to reducing the overall burden to importers.

Need for Correction

In rule FR Doc. 97–23218 published on September 2, 1997 (62 FR 46412), make the following correction. On page 46415, in the third column, immediately following the HTS number 5212216090 remove the entries for HTS numbers 5309214010, 5309214090, 5309294010, 5311004020, 5407810010, 5407810030, 5407912020, 5408312020, 5408329020, 5408349020, and 5408349095.

Dated: September 18, 1997.

Norma McDill,

Acting Director, Cotton Division.

[FR Doc. 97–25278 Filed 9–24–97; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

9 CFR Parts 1 and 3

[Docket No. 95–078–4]

RIN 0579–AA74

Humane Treatment of Dogs; Tethering; Clarification

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Final rule; clarification.

SUMMARY: On August 13, 1997, we published in the **Federal Register** (62 FR 43272–43275, Docket No. 95–078–2) a final rule that removed the option for facilities regulated under the Animal Welfare Act to use tethering as a means of primary enclosure. We also added a provision to the regulations to permit regulated facilities to temporarily tether a dog if they obtain approval from the Animal and Plant Health Inspection Service. The purpose of this notice is to clarify what kinds of facilities are regulated under the Animal Welfare Act and, subsequently, what kinds of facilities must comply with the final rule on tethering.

FOR FURTHER INFORMATION CONTACT: Mr. Stephen Smith, Staff Animal Health Technician, Animal Care, APHIS, suite 6D02, 4700 River Road Unit 84, Riverdale, MD 20737–1234, (301) 734–4972, or e-mail: snsmith@aphis.usda.gov.

SUPPLEMENTARY INFORMATION:

Background

On August 13, 1997, we published in the **Federal Register** (62 FR 43272–43275, Docket No. 95–078–2) a final rule that amended the regulations by removing the option for facilities regulated under the Animal Welfare Act to use tethering as a means of primary enclosure. We also added a provision to the regulations to state that regulated facilities may temporarily tether a dog if they obtain approval from the Animal and Plant Health Inspection Service (APHIS).

This rulemaking was based on our experience in enforcing the Animal Welfare Act, which has shown that tethering can be an inhumane practice when used as a means of primary enclosure in facilities regulated under the Animal Welfare Act. Typically, this inappropriate use of tethering involves dogs that are permanently tethered without opportunity for regular exercise. This was the basis for our position that tethering is inhumane. However, we recognize that under other circumstances (intermittent use, dogs are vigorously exercised, pets are on running tethers, dogs have close oversight, etc.) the use of tethering may be entirely appropriate and humane. We did not intend to imply that tethering of dogs under all circumstances is inhumane, nor that tethering under any circumstances must be prohibited.

Since publication of the final rule, we have been made aware that some members of the public are confused as to who must comply with this final rule. We have received numerous inquiries from various kinds of dog owners who tether their dogs. These dog owners are concerned that, pursuant to the final rule, they will no longer be able to tether their dogs. We are publishing this notice in order to make it clear who must comply with the final rule, and

who is not subject to the provisions of the final rule.

The final rule regarding tethering of dogs was issued under the authority of the Animal Welfare Act. The Animal Welfare Act authorizes APHIS to license, register, and regulate animal dealers, animal transporters, animal exhibitors, and research facilities that sell, transport, exhibit, or use certain kinds of animals, including dogs. Regulations established under the Act are contained in 9 CFR parts 1, 2, and 3. Subpart A of 9 CFR part 3 contains requirements concerning dogs and cats.

With regard to dogs sold, transported, exhibited, or used in research by persons subject to the Animal Welfare Act, APHIS' regulations are intended to ensure that the dogs are given proper and humane care. Persons subject to the Animal Welfare Act include persons who sell dogs wholesale or breed dogs to sell wholesale, sell dogs to laboratories for research purposes or breed dogs for sale to laboratories for research purposes, broker dogs, operate an auction at which dogs are sold, or give dogs as prizes as part of a promotion. Transporters of dogs, such as airlines, railroads, motor carriers, and handlers contracted to transport dogs, are also subject to the Animal Welfare Act. Additionally, persons who exhibit dogs (such as circuses or carnivals) and laboratories that use dogs for research are subject to the Animal Welfare Act. These are the groups that must comply with the final rule prohibiting permanent tethering of dogs as a means of primary enclosure. However, any person required to comply with the final rule may request approval from APHIS to temporarily tether a dog.

Any person who is not subject to the Animal Welfare Act does not have to comply with the final rule on tethering, and may continue to tether their dogs. Persons who own dogs as pets are not subject to the Animal Welfare Act. Persons who breed dogs as a hobby, and do not sell them wholesale, are not subject to the Animal Welfare Act. Dog mushers and owners of guard dogs or hunting dogs are not subject to the Animal Welfare Act. Therefore, these entities are not subject to and do not have to comply with APHIS' final rule regarding tethering of dogs. APHIS has no authority under the Animal Welfare Act to prohibit tethering of dogs by persons who are not subject to the Act.

Individuals most likely to be affected by the final rule on tethering are those licensed by APHIS as Class A and Class B dealers of dogs. This includes persons who sell dogs wholesale, breed dogs to sell wholesale, sell dogs to laboratories for research purposes, or breed dogs for sale to laboratories for research purposes. Most dog breeder and wholesale industry organizations agree that tethering is not a humane means of primary enclosure for dogs when used under the circumstances typical to breeding and wholesale facilities. Many of these organizations already prohibit member facilities from using tethering as a means of primary enclosure. For this reason, using tethering as a means of primary enclosure is rare among licensed Class A and Class B dog dealers. We recognize that many persons not subject to the Animal Welfare Act do tether their dogs. Persons not regulated under the Animal Welfare Act who tether their dogs are likely to be using this means of restraint under circumstances different than those typical to breeding and wholesale facilities. In these cases, tethering may be a humane method of restraint. Regardless, APHIS does not have the authority to regulate the activities of dog owners who are not subject to the Animal Welfare Act.

Authority: 7 U.S.C. 2131–2159; 7 CFR 2.22, 2.80, and 371.2(g).

Done in Washington, DC, this 22nd day of September 1997.

Terry L. Medley,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 97–25482 Filed 9–24–97; 8:45 am]

BILLING CODE 3410–34–P

NATIONAL CREDIT UNION ADMINISTRATION

12 CFR Chapter VII

Interpretive Rulings and Policy Statements

AGENCY: National Credit Union Administration (NCUA).

ACTION: Withdrawal of outdated and unnecessary Interpretive Rulings and Policy Statements (IRPS).

SUMMARY: NCUA is withdrawing several of its Interpretative Rulings and Policy Statements (IRPS) that have become outdated or unnecessary or have been superseded by other IRPS or NCUA regulations. This is the first step in NCUA's ongoing project to update and streamline its IRPS. The intended purpose of withdrawing these IRPS is to ease the compliance burden on federally chartered and federally insured credit unions and provide more valuable guidance by eliminating IRPS that no longer effectively advance NCUA's regulatory goals or statutory responsibilities.

EFFECTIVE DATE: September 25, 1997.

ADDRESSES: National Credit Union Administration, 1775 Duke Street, Alexandria, Virginia 22314–3428.

FOR FURTHER INFORMATION CONTACT: Nicole Sippial Williams, Staff Attorney, Division of Operations, Office of the General Counsel, (703) 518–6540, or at the above address.

SUPPLEMENTARY INFORMATION:

A. Background

As part of its Regulatory Review Program, NCUA conducted a review of its IRPS to determine their current effectiveness. Several of the IRPS were found to be outdated and unnecessary and, thus, could be withdrawn. On March 13, 1997, the NCUA Board issued an advance notice of proposed rulemaking soliciting comments on a proposal to revise NCUA's existing IRPS. As part of the proposal, NCUA recommended withdrawing 17 IRPS, redesignating 9 IRPS into the NCUA Rules and Regulations, transferring 1 IRPS into a NCUA instructional manual or directive, and preserving 12 IRPS.

NCUA received a total of 17 comments from federal credit unions, state-chartered credit unions, trade organizations, state leagues, and state credit union regulators. The commenters were overwhelmingly in support of NCUA's efforts to revise and streamline its IRPS and the proposed action to be taken with regard to each IRPS, but suggested a few specific changes.

One commenter suggested that IRPS 80–10, When Federal Credit Unions Can Charge More Than 15% Per Annum on Government Insured or Guaranteed Loans, should not be withdrawn. We disagree. The guidance provided in this IRPS is adequately addressed in Section 701.21(e) of NCUA Rules and Regulations. One commenter suggested that IRPS 82–6, Corporate Federal Credit Union Chartering Guidelines, should not be withdrawn, but should remain for credit unions that believe they would be better served by a new corporate credit union or for state chartered credit unions that want to convert to federal charters. We disagree. The guidance provided in IRPS 82–6 is no longer relevant to chartering corporate credit unions. Applications for new corporate charters will be handled on a case-by-case basis with the NCUA Chartering and Field of Membership Manual (IRPS 94–1, as amended by IRPS 96–1) used as guidance where applicable.

NCUA thoroughly evaluated the comments and has incorporated some of the suggested changes into this