

**FOR FURTHER INFORMATION CONTACT:**

Constance M. Brenner, Marketing Specialist, USDA/AMS/Dairy Division, Order Formulation Branch, Room 2971, South Building, P.O. Box 96456, Washington, DC 20090-6456 (202) 720-2357.

**SUPPLEMENTARY INFORMATION:** The Regulatory Flexibility Act (5 U.S.C. 601-612) requires the Agency to examine the impact of a proposed rule on small entities. Pursuant to 5 U.S.C. 605(b), the Administrator of the Agricultural Marketing Service has certified that this proposed rule would not have a significant economic impact on a substantial number of small entities. This rule would lessen the regulatory impact of the order on dairy farmers and would not affect milk handlers.

The Department is issuing this proposed rule in conformance with Executive Order 12866.

This proposed rule has been reviewed under Executive Order 12778, Civil Justice Reform. This rule is not intended to have a retroactive effect. If adopted, this proposed rule will not preempt any state or local laws, regulations, or policies, unless they present an irreconcilable conflict with the rule.

The Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), provides that administrative proceedings must be exhausted before parties may file suit in court. Under section 608c(15)(A) of the Act, any handler subject to an order may file with the Secretary a petition stating that the order, any provisions of the order, or any obligation imposed in connection with the order is not in accordance with law and request a modification of an order or to be exempted from the order. A handler is afforded the opportunity for a hearing on the petition. After a hearing, the Secretary would rule on the petition. The Act provides that the district court of the United States in any district in which the handler is an inhabitant, or has its principal place of business, has jurisdiction in equity to review the Secretary's ruling on the petition, provided a bill in equity is filed not later than 20 days after the date of the entry of the ruling.

Notice is hereby given that, pursuant to the provisions of the Agricultural Marketing Agreement Act, the termination of the following provisions of the order regulating the handling of milk in the Eastern Ohio-Western Pennsylvania marketing area is being considered:

Sections 1036.105 through 1036.122, the undesignated center heading

preceding them, and the reference to these provisions in § 1036.73.

All persons who want to send written data, views, or arguments about the proposed termination should send two copies of them to the USDA/AMS/Dairy Division, Order Formulation Branch, Room 2971, South Building, P.O. Box 96456, Washington, DC 20090-6456, by the 14th day after the publication of this notice in the **Federal Register**. The period for filing comments is limited to 14 days because a longer period would not provide the time needed to complete the required procedures before the process to appoint a new Board is initiated in April.

The comments that are received will be made available for public inspection in the Dairy Division during normal business hours (7 CFR 1.27(b)).

**Statement of Consideration**

The proposed termination, requested by Milk Marketing Inc. (MMI), Dairylea Cooperative Inc., and Tri-County Producers Cooperative, all associations of dairy farmers whose milk is pooled on the Eastern Ohio-Western Pennsylvania Federal milk order, would eliminate the advertising and promotion provisions of that order.

The cooperatives stated that the primary purpose of these provisions, at the time of their implementation, was to increase producer participation in the advertising and promotion of milk and dairy products. However, the Dairy and Tobacco Adjustment Act of 1985 mandated that all dairy farmers contribute to such activities through a national program spanning all Federal order marketing areas (7 CFR part 1150). The cooperatives asserted that the advertising and promotion provisions of the order are redundant and create unnecessary expenses in view of the existence of qualified regional programs that are funded under the national advertising and promotion program. The efficiency and effectiveness of producer funds would be enhanced with termination of the Federal order advertising and promotion provisions. Thus, the cooperatives requested removal of the advertising and promotion provisions to eliminate administrative costs without affecting the integrity of the Federal order program.

Section 608c(16)(A) of the Act authorizing Federal milk orders provides that any order provisions may be terminated separately whenever the Secretary makes a determination that such provisions obstruct or do not tend to effectuate the declared policy of the Act.

Therefore, comments are sought to determine whether the aforementioned provisions should be terminated.

**List of Subjects in 7 CFR Part 1036**

Milk marketing orders.

The authority citation for 7 CFR part 1036 continues to read as follows:

**Authority:** Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674.

Dated: March 21, 1995.

**Lon Hatamiya,**

*Administrator.*

[FR Doc. 95-7335 Filed 3-23-95; 8:45 am]

BILLING CODE 3410-02-P

**Animal and Plant Health Inspection Service****9 CFR Parts 1 and 3**

[Docket No. 93-076-6]

RIN 0579-AA59

**Animal Welfare; Marine Mammals**

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

**ACTION:** Notice of reopening and extension of comment period.

**SUMMARY:** We are reopening and extending the comment period for our proposed rule regarding the establishment of standards for "swim-with-the-dolphin" interactive programs. This extension will provide interested persons with additional time to prepare comments on the proposed rule.

**DATES:** Consideration will be given only to written comments on Docket No. 93-076-2 that are received on or before March 24, 1995.

**ADDRESSES:** Please send an original and three copies of your comments to Docket No. 93-076-2, Regulatory Analysis and Development, PPD, APHIS, Suite 3C03, 4700 River Road Unit 118, Riverdale, MD 20737-1238. Comments received may be inspected at USDA, room 1141, South Building, 14th Street and Independence Ave. SW., Washington, DC, between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays. Persons wishing to inspect comments are requested to call ahead on (202) 690-2817 to facilitate entry into the comment reading room.

**FOR FURTHER INFORMATION CONTACT:** Dr. Barbara Kohn, Senior Staff Veterinarian, Animal Care Staff, REAC, APHIS, 4700 River Road Unit 84, Riverdale, MD 20737-1228, (301) 734-8699.

**SUPPLEMENTARY INFORMATION:** On January 23, 1995, we published in the **Federal Register** (60 FR 4383-4389, Docket No. 93-076-2) a proposal to

amend the Animal Welfare regulations to establish standards for "swim-with-the-dolphin" interactive programs.

Comments regarding the proposed rule were required to be received on or before February 22, 1995. On February 28, 1995, we published a notice in the **Federal Register** (60 FR 10810, Docket No. 93-076-4), reopening and extending the comment period for Docket No. 93-076-2 through March 9, 1995. On March 9, 1995, we published a notice in the **Federal Register** (60 FR 12908, Docket 93-076-5) further extending the comment period through March 13, 1995. However, several Federal agencies have indicated the need for additional time to develop and submit comments on the proposed rule.

So that we may consider comments received after March 13, we are reopening and extending the comment period for Docket No. 93-076-2 through March 24, 1995. During this period, other interested persons may also submit their comments for our consideration.

**Authority:** 7 U.S.C. 2131-2159; 7 CFR 2.17, 2.51, and 371.2(g).

Done in Washington, DC, this 21st day of March 1995.

**Terry L. Medley,**

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

[FR Doc. 95-7333 Filed 3-23-95; 8:45 am]

BILLING CODE 3410-34-P

## SMALL BUSINESS ADMINISTRATION

### 13 CFR Part 108

#### Loans to State and Local Development Companies; Computer Generated Facsimiles of SBA Forms

**AGENCY:** Small Business Administration (SBA).

**ACTION:** Proposed rule.

**SUMMARY:** This proposed rule would authorize qualified development companies to use computer generated facsimile exact copies of SBA application and closing forms in submitting loan applications and closing documents. This rule is being proposed in order to ease administration of the development company program.

**DATES:** Comments must be submitted on or before April 24, 1995.

**ADDRESSES:** Comments should be sent to LeAnn Oliver, Acting Director, Office of Rural Affairs & Economic Development, Small Business Administration, 409 3rd Street S.W., Suite 8300, Washington, D.C., 20416.

**FOR FURTHER INFORMATION CONTACT:**

LeAnn Oliver, (202) 205-6485.

**SUPPLEMENTARY INFORMATION:** For many years, SBA has required Certified Development Companies to use forms provided by SBA in the development company loan program. With advances in technology, forms may be reproduced as mirror image facsimiles by computers. Such reproductions may be in the best interests of the development company loan program.

Under this proposed rule, Certified Development Companies would be authorized to use SBA application and closing forms which have been computer generated by the certified development companies, attorneys retained by such companies, or by third parties with whom they have contracted. Because SBA in the past has withheld permission to computerize certain identified SBA forms, the proposed new section 108.504-1 would specifically include the following forms in the general authority to utilize computer generated facsimile copies: SBA Forms 1248 (Authorization and Debenture Guaranty), 1505 (Note), 1504 (Debenture), 1506 (Servicing Agent Agreement), 1429 (Use of Proceeds), 148 (Guaranty), 928 (Mortgage), 930 (Deed of Trust), 1059 (Security Agreement), 1243 (CDC Certificate) and 1528 (CDC Board Resolution).

#### Compliance With Executive Orders 12612, 12778, and 12866, the Regulatory Flexibility Act and the Paperwork Reduction Act

For purposes of the Regulatory Flexibility Act, 5 U.S.C. 601 et seq., SBA certifies that this rule will not have a significant economic impact on a substantial number of small entities.

SBA certifies that this rule will not constitute a significant regulatory action for purposes of Executive Order 12866, since the change is not likely to result in an annual effect on the economy of \$100 million or more.

SBA certifies that this rule will not impose additional reporting or recordkeeping requirements which would be subject to the Paperwork Reduction Act, 44 U.S.C. Ch. 35.

SBA certifies that this rule will not have Federalism implications warranting the preparation of a Federalism Assessment in accordance with Executive Order 12612.

SBA certifies that this rule is drafted, to the extent practicable, in accordance with the standards set forth in Section 2 of Executive Order 12778.

#### List of Subjects in 13 CFR Part 108

Loan programs/business, Small businesses.

For the reasons set forth above, SBA proposes to amend part 108 of title 13 of the Code of Federal Regulations as follows:

#### PART 108—[AMENDED]

1. The authority citation for Part 108 continues to read as follows:

**Authority:** 15 U.S.C. 687(c), 695, 696, 697a, 697b, 697c.

2. Section 108.504-1 would be added to read as follows:

#### § 108.504-1 Computer Generated Facsimile Copies of SBA Forms

For 504 Program loans, a 503 Company may use computer generated SBA application and closing forms which are exact facsimile reproductions of SBA forms generated by the 503 Company, attorneys retained by the 503 Company or by third parties with which the 503 Company has contracted; provided that a 503 Company which utilizes such computer generated forms shall be responsible to SBA for a substantial loss resulting from inexact reproduction of any such form and provided further that SBA reserves the right not to guarantee a debenture because an inexact computer form has been submitted to SBA in support of a request for such guarantee. All SBA loan forms, including, but not limited to the following, may be computer generated: SBA Forms 1248 (Authorization and Debenture Guaranty), 1505 (Note), 1504 (Debenture), 1506 (Servicing Agent Agreement), 1429 (Use of Proceeds), 148 (Guaranty), 928 (Mortgage), 930 (Deed of Trust), 1059 (Security Agreement), 1243 (CDC Certificate) and 1528 (CDC Board Resolution).

\* \* \* \* \*

Catalog of Federal Domestic Assistance 59.036 Certified Development Company Loans (503 Loans); 59.041 Certified Development Company Loans (504 Loans).

Dated: February 10, 1995.

**Philip Lader,**

*Administrator.*

[FR Doc. 95-6977 Filed 3-23-95; 8:45 am]

BILLING CODE 8025-01-M

## DEPARTMENT OF TRANSPORTATION

### 14 CFR Chapter I

#### Federal Aviation Administration; Harmonization Initiatives

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

**ACTION:** Notice of public meeting.

**SUMMARY:** The Federal Aviation Administration and the Joint Aviation Authorities will convene a meeting to