

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

#### 9 CFR Parts 1 and 3

[Docket No. 98-106-2]

#### Animal Welfare; Petition for Rulemaking

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

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

**SUMMARY:** We are extending the comment period for our notice of a petition for rulemaking received by the Secretary of Agriculture. The petition, sponsored by several petitioners, requests that the Secretary amend the definition of "animal" in the Animal Welfare Act regulations to remove the current exclusion of rats and mice bred for use in research and birds and "grant such other relief as the Secretary deems just and proper." This extension will provide interested persons with additional time to prepare and submit comments on the petition.

**DATES:** Consideration will be given only to comments on Docket No. 98-106-1 that are received on or before May 28, 1999.

**ADDRESSES:** Please send your comment and three copies to: Docket No. 98-106-1, Regulatory Analysis and Development, PPD, APHIS, Suite 3C03, 4700 River Road, Unit 118, Riverdale, MD 20737-1238.

Please state that your comment refers to Docket No. 98-106-1.

You may read any comments that we receive on this docket in our reading room. The reading room is located in room 1141 of the USDA South Building, 14th Street and Independence Avenue, SW., Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 690-2817 before coming.

APHIS documents published in the **Federal Register**, and related information, including the names of organizations and individuals who have commented on APHIS rules, are available on the Internet at <http://www.aphis.usda.gov/ppd/rad/webrepor.html>.

Any person who wishes to submit a comment electronically must use a form located on the Internet at <http://comments.aphis.usda.gov>. Electronically submitted comments need only be submitted once. These comments are available for public viewing at the same Internet address.

**FOR FURTHER INFORMATION CONTACT:** Dr. Jerry DePoyster, Senior Veterinary Medical Officer, AC, APHIS, 4700 River Road Unit 84, Riverdale, MD 20737-1228, (301) 734-7833.

#### SUPPLEMENTARY INFORMATION:

#### Background

On January 28, 1999, we published in the **Federal Register** (64 FR 4356-4367, Docket No. 98-106-1) a notice of petition and request for comments regarding a petition for rulemaking received by the Secretary of Agriculture. The petition, sponsored by several petitioners, requests that the Secretary take two actions: (1) Initiate rulemaking proceedings to amend the definition of "animal" in the Animal Welfare Act (AWA) regulations to remove the current exclusion of rats and mice bred for use in research and birds, and (2) "grant such other relief as the Secretary deems just and proper." The AWA regulations are contained in title 9 of the Code of Federal Regulations (CFR), parts 1 through 3; the definitions of terms used in the AWA regulations are at 9 CFR 1.1.

Comments on the petition were required to be received on or before March 29, 1999. We have received a request to extend the period during which comments will be accepted. In response, we are extending the comment period on Docket No. 98-106-1 for an additional 60 days. This action will allow interested persons additional time to prepare and submit comments.

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

Done in Washington, DC, this 26th day of February 1999.

**Joan M. Arnoldi,**

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

[FR Doc. 99-5359 Filed 3-3-99; 8:45 am]

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## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

#### 9 CFR Part 113

[Docket No. 97-103-1]

#### Viruses, Serums, Toxins, and Analogous Products; Update of Incorporation by Reference for Rabies Vaccine

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

**ACTION:** Proposed rule.

**SUMMARY:** We are proposing to amend the regulations pertaining to the standard requirements for rabies vaccine, killed virus, so that they incorporate the latest edition of a guide to laboratory techniques. The regulations currently refer to the previous edition of that guide, which was published in 1973. This proposed action would ensure that the latest edition of the guide is incorporated by reference and used in conducting potency tests during the production of rabies vaccines.

**DATES:** Consideration will be given only to comments received on or before May 3, 1999.

**ADDRESSES:** Please send an original and three copies of your comments to Docket No. 97-103-1, Regulatory Analysis and Development, PPD, APHIS, Suite 3C03, 4700 River Road Unit 118, Riverdale, MD 20737-1238. Please state that your comments refer to Docket No. 97-103-1. Comments received may be inspected at USDA, room 1141, South Building, 14th Street and Independence Avenue 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. David A. Espeseth, Special Assistant to