

# Rules and Regulations

Federal Register

Vol. 69, No. 248

Tuesday, December 28, 2004

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

#### 7 CFR Part 60

[No. LS-03-04]

RIN 0581-AC26

#### Mandatory Country of Origin Labeling of Fish and Shellfish

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Interim final rule; extension of comment period.

**SUMMARY:** On October 5, 2004, the Agricultural Marketing Service (AMS) published an interim final rule (69 FR 59708) for the mandatory country of origin labeling (COOL) program for fish and shellfish as mandated by the Farm Security and Rural Investment Act of 2002 (Farm Bill) and the 2002 Supplemental Appropriations Act (Appropriations Act), which amended the Agricultural Marketing Act of 1946 (Act) to direct the Secretary of Agriculture to promulgate regulations by September 30, 2004, requiring retailers to notify their customers of the country of origin of covered commodities. The FY 2004 Consolidated Appropriations Act (Public Law 108-199) delayed the applicability of mandatory COOL for all covered commodities except wild and farm-raised fish and shellfish until September 30, 2006. AMS is extending the comment period to February 2, 2005, at the request of industry trade associations to provide interested parties with additional time to file comments.

**DATES:** Comments must be submitted on or before February 2, 2005, to be assured of consideration.

**ADDRESSES:** Send written comments to: Country of Origin Labeling Program, Room 2092-S; Agricultural Marketing

Service (AMS), USDA; STOP 0249; 1400 Independence Avenue, SW., Washington, DC 20250-0249, or by facsimile to (202) 720-3499, or by e-mail to [cool@usda.gov](mailto:cool@usda.gov). Comments received will be posted to the AMS Web site at: <http://www.ams.usda.gov/cool/>. Comments sent to the above location that specifically pertain to the information collection and recordkeeping requirements should also be sent to the Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), New Executive Office Building, 725 17th Street, NW., Room 725, Washington, DC 20503.

#### FOR FURTHER INFORMATION CONTACT:

William Sessions, Associate Deputy Administrator, Livestock and Seed Program, AMS, USDA, by telephone on (202) 720-5707, or via e-mail to: [william.sessions@usda.gov](mailto:william.sessions@usda.gov).

**SUPPLEMENTARY INFORMATION:** The Farm Bill and the Appropriations Act amended the Act to direct the Secretary of Agriculture to promulgate regulations by September 30, 2004, requiring retailers to notify their customers of the country of origin of covered commodities. The FY 2004 Consolidated Appropriations Act (Public Law 108-199) delayed the applicability of mandatory COOL for all covered commodities except wild and farm-raised fish and shellfish until September 30, 2006.

On October 5, 2004, AMS published an interim final rule (69 FR 59708) for the mandatory country of origin labeling program for fish and shellfish. The comment period was originally scheduled to end on January 3, 2005. However, two industry trade organizations have requested additional time for retailers to examine their systems in light of the requirements of the interim final rule in order to provide more meaningful comments. Further, the Food and Drug Administration (FDA) recently published the final rule to implement the Bioterrorism Act's recordkeeping requirements and more time is needed for the industry to compare the FDA regulation recordkeeping requirements with the recordkeeping requirements under the COOL interim final rule. Therefore, AMS has determined that there is sufficient justification for extending the

comment period 30 days until February 2, 2005.

**Authority:** 7 U.S.C. 1621 *et seq.*

Dated: December 22, 2004.

**A.J. Yates,**

*Administrator, Agricultural Marketing Service.*

[FR Doc. 04-28349 Filed 12-27-04; 8:45 am]

**BILLING CODE 3410-02-M**

## DEPARTMENT OF AGRICULTURE

### Rural Housing Service

#### 7 CFR Parts 1806, 1822, 1902, 1925, 1930, 1940, 1942, 1944, 1951, 1955, 1956, 1965, 3560, and 3565

RIN 0575-AC13

#### Reinvention of the Sections 514, 515, 516 and 521 Multi-Family Housing Programs

**AGENCY:** Rural Housing Service, USDA.

**ACTION:** Interim final rule; extension of comment period.

**SUMMARY:** The comment period for the interim final rule is being extended an additional 30 days from December 27, 2004, in order to provide opportunities for further comment on this rule and its criteria. This interim final rule was published in the **Federal Register** on November 26, 2004, (69 FR 69032).

**DATES:** Comments on the interim final rule must be received on or before January 26, 2005, to be assured of consideration.

**ADDRESSES:** You may submit comments to this rule by any of the following methods:

- Agency Web Site: <http://rdinit.usda.gov/regs/>. Follow the instructions for submitting comments on the Web site.
- E-Mail: [comments@usda.gov](mailto:comments@usda.gov). Include the RIN number (0575-AC13) in the subject line of the message.
- Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.
- Mail: Submit written comments via Federal Express Mail or another mail courier service requiring a street address to the Branch Chief, Regulations and Paperwork Management Branch, U.S. Department of Agriculture, 300 7th Street, SW, 7th Floor, Suite 701, Washington, DC 20024.

All written comments will be available for public inspection during regular work hours at the 300 7th Street, SW., address listed above.

**FOR FURTHER INFORMATION CONTACT:** Sue Harris-Green, Deputy Director, Multi-Family Housing Direct Loan Division, Rural Housing Service, U.S. Department of Agriculture, Room 1241, South Building, Stop 0781, 1400 Independence Avenue, SW., Washington, DC 20250-0781, telephone (202) 720-1660.

**SUPPLEMENTARY INFORMATION:** In the *Federal Register* dated November 26, 2004, the Rural Housing Service (RHS) published an interim final rule which had the intent of streamlining and reengineering its regulations, as well as utilizing several private sector processes and techniques in the administration of the origination, management, servicing, and preservation of its Multi-Family Housing programs. These programs include the section 515 Rural Rental Housing (RRH) loan program, the section 514/516 Farm Labor Housing loan and grant program, and the section 521 Rental Assistance (RA) program. This interim final rule combines the provisions of the Streamlining and Consolidation of the sections 514, 515, 516, and 521 Multi-Family Housing (MFH) Programs Proposed Rule published on June 2, 2003, and the Operating Assistance for Off-Farm Migrant Farmworker Projects Proposed Rule published on November 2, 2000.

Due to the complex nature of the changes in the regulation, it is in the best interest of the public to extend the period of time in which comments will be accepted. Initially, the comment period was to end on December 27, 2004. The revised ending date for the receipt of comments is now January 26, 2005.

Dated: December 16, 2004.

**Gilbert Gonzalez,**

*Acting Under Secretary, Rural Development.*  
[FR Doc. 04-28240 Filed 12-27-04; 8:45 am]

**BILLING CODE 3410-XV-U**

## DEPARTMENT OF THE TREASURY

### Office of the Comptroller of the Currency

#### 12 CFR Parts 30 and 41

[Docket No. 04-13]

RIN 1557-AC84

### FEDERAL RESERVE SYSTEM

#### 12 CFR Parts 208, 211, 222, and 225

[Docket No. R-1199]

### FEDERAL DEPOSIT INSURANCE CORPORATION

#### 12 CFR Parts 334 and 364

RIN 3064-AC77

## DEPARTMENT OF THE TREASURY

### Office of Thrift Supervision

#### 12 CFR Parts 568, 570, and 571

[No. 2004-56]

RIN 1550-AB87

### Proper Disposal of Consumer Information Under the Fair and Accurate Credit Transactions Act of 2003

**AGENCIES:** Office of the Comptroller of the Currency, Treasury (OCC); Board of Governors of the Federal Reserve System (Board); Federal Deposit Insurance Corporation (FDIC); and Office of Thrift Supervision, Treasury (OTS).

**ACTION:** Final rule.

**SUMMARY:** The OCC, Board, FDIC, and OTS (the Agencies) are adopting a final rule to implement section 216 of the Fair and Accurate Credit Transactions Act of 2003 by amending the Interagency Guidelines Establishing Standards for Safeguarding Customer Information. The final rule generally requires each financial institution to develop, implement, and maintain, as part of its existing information security program, appropriate measures to properly dispose of consumer information derived from consumer reports to address the risks associated with identity theft.

**EFFECTIVE DATE:** July 1, 2005.

#### FOR FURTHER INFORMATION CONTACT:

OCC: Aida Plaza Carter, Director, Bank Information Technology, (202) 874-4740; Amy Friend, Assistant Chief Counsel, (202) 874-5200; or Deborah Katz, Senior Counsel, Legislative and Regulatory Activities Division, (202) 874-5090.

*Board:* Donna L. Parker, Supervisory Financial Analyst, Division of Supervision & Regulation, (202) 452-2614; Joshua H. Kaplan, Attorney, Legal Division, (202) 452-2249; Minh-Duc T. Le or Ky Tran-Trong, Senior Attorneys, Division of Consumer and Community Affairs, (202) 452-3667.

*FDIC:* Jeffrey M. Kopchik, Senior Policy Analyst, Division of Supervision and Consumer Protection, (202) 898-3872; Kathryn M. Weatherby, Examination Specialist, Division of Supervision and Consumer Protection, (202) 898-6793; Robert A. Patrick, Counsel, Legal Division, (202) 898-3757; Janet V. Norcom, Counsel, Legal Division, (202) 898-8886.

*OTS:* Glenn Gimble, Senior Project Manager, Thrift Policy, (202) 906-7158; Lewis C. Angel, Senior Project Manager, Technology Risk Management, (202) 906-5645; Richard Bennett, Counsel (Banking and Finance), Regulations and Legislation Division, (202) 906-7409.

#### SUPPLEMENTARY INFORMATION:

##### I. Introduction

Section 216 of the Fair and Accurate Credit Transactions Act of 2003 (FACT Act or the Act) adds a new section 628 to the Fair Credit Reporting Act (FCRA), at 15 U.S.C. 1681w, that, in general, is designed to protect a consumer against the risks associated with unauthorized access to information about the consumer contained in a consumer report, such as fraud and related crimes including identity theft. Section 216 of the Act requires each of the Agencies to adopt a regulation with respect to the entities that are subject to its enforcement authority "requiring any person that maintains or otherwise possesses consumer information, or any compilation of consumer information, derived from consumer reports for a business purpose to properly dispose of any such information or compilation." Pub. L. 108-159, 117 Stat. 1985-86. The FACT Act mandates that the Agencies ensure that their respective regulations are consistent with the requirements issued pursuant to the Gramm-Leach-Bliley Act (GLB Act) (Pub. L. 106-102), as well as other provisions of Federal law.

On June 8, 2004, the Agencies published a proposal to amend the Interagency Guidelines Establishing Standards for Safeguarding Customer Information (Guidelines) to require financial institutions to implement controls designed to ensure the proper disposal of "consumer information" within the meaning of section 216.<sup>1</sup> A

<sup>1</sup> 69 FR 31913 (June 8, 2004). The Guidelines are codified at 12 CFR parts 30, app. B (OCC); 208, app.