

Proposed Rules

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Wednesday, July 21, 2004

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

Agricultural Marketing Service

7 CFR Part 1030

[Docket No. AO-361-A39; DA-04-03]

Milk in the Upper Midwest Marketing Area; Delay of Hearing Date

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Proposed rule; notice of hearing delay.

SUMMARY: The Agricultural Marketing Service is delaying the hearing date for the proposed rule that appeared in the **Federal Register** of June 23, 2004 (69 FR 34963), which gave notice of a public hearing being held to consider proposals that would amend certain provisions of the Upper Midwest milk marketing order. The hearing scheduled to begin July 19, 2004, has been delayed until Monday, August 16, 2004. The hearing must be completed by or adjourned by noon on Friday, August 20, 2004. To expedite the hearing process, the presiding Administrative Law Judge requests that the statements of all witnesses be exchanged with known participants on or before August 13, 2004.

DATES: The hearing will convene at 1 p.m. on Monday, August 16, 2004.

ADDRESSES: The hearing will be held at the Sofitel Minneapolis Hotel (I-494 and Highway 100), 5601 West 78th Street, Bloomington, Minnesota 55439; (952) 835-1900.

FOR FURTHER INFORMATION CONTACT: Gino Tosi, Marketing Specialist, Order Formulation and Enforcement, USDA/AMS/Dairy Programs, Room 2971-Stop 0231, 1400 Independence Avenue, SW., Washington, DC 20250-0231, (202) 690-1366, e-mail address: Gino.Tosi@usda.gov.

SUPPLEMENTARY INFORMATION: In the proposed rule beginning on page 34963 of the **Federal Register** for Wednesday, June 23, 2004, the hearing date in the

first and second column on page 34963 is changed in both the **DATES** and **SUPPLEMENTARY INFORMATION** sections to read as follows:

DATES: The hearing will convene at 1 p.m. on Monday, August 16, 2004.

SUPPLEMENTARY INFORMATION:

This administrative action is governed by the provisions of sections 556 and 557 of Title 5 of the United States Code and, therefore, is excluded from the requirements of Executive Order 12866.

Notice is hereby given of a public hearing to be held at the Sofitel Minneapolis Hotel (I-494 and Highway 100), 5601 West 78th Street, Bloomington, Minnesota 55439; (952) 835-1900, beginning at 1 p.m., on Monday, August 16, 2004, with respect to proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Upper Midwest milk marketing area. The hearing is delayed at the request of some of the proponents of the proposed amendments to allow for more time to prepare for the hearing.

Authority: 7 U.S.C. 601-674.

Dated: July 14, 2004.

A.J. Yates,

Administrator, Agricultural Marketing Service.

[FR Doc. 04-16485 Filed 7-20-04; 8:45 am]

BILLING CODE 3410-02-P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

9 CFR Parts 2 and 3

[Docket No. 98-106-5]

RIN 0579-AB69

Animal Welfare; Regulations and Standards for Birds, Rats, and Mice

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Advance notice of proposed rulemaking; extension of comment period.

SUMMARY: We are extending the comment period for our advance notice of proposed rulemaking regarding several changes we are considering to the Animal Welfare Act (AWA) regulations to help promote the humane handling, care, treatment, and

transportation of birds, rats, and mice not specifically excluded from coverage under the AWA. This action will allow interested persons additional time to prepare and submit comments.

DATES: We will consider all comments that we receive on or before November 1, 2004.

ADDRESSES: You may submit comments by any of the following methods:

- **Webform:** The preferred method is to use the webform located at <http://comments.aphis.usda.gov>. This webform is designed to allow commenters to associate each of their comments with the issues identified in the advance notice, and to allow APHIS to more easily analyze the comments received regarding each issue.

- **Postal Mail/Commercial Delivery:** Please send four copies of your comment (an original and three copies) to Docket No. 98-106-4, Regulatory Analysis and Development, PPD, APHIS, Station 3C71, 4700 River Road Unit 118, Riverdale, MD 20737-1238. Please state that your comment refers to Docket No. 98-106-4.

- **E-mail:** Address your comment to regulations@aphis.usda.gov. Your comment must be contained in the body of your message; do not send attached files. Please include your name and address in your message and "Docket No. 98-106-4" on the subject line.

- **Federal eRulemaking Portal:** Go to <http://www.regulations.gov> and follow the instructions for locating this docket and submitting comments.

Reading Room: You may read any comments that we receive on Docket No. 98-106-4 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.

Other Information: You may view APHIS documents published in the **Federal Register** and related information, including the names of groups and individuals who have commented on APHIS dockets, on the Internet at <http://www.aphis.usda.gov/ppd/rad/webrepor.html>.

FOR FURTHER INFORMATION CONTACT: Dr. Jerry DePoyster, Senior Veterinary Medical Officer, Animal Care, APHIS,