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## DEPARTMENT OF AGRICULTURE

### Office of the Secretary

#### 7 CFR Part 6

#### Adjustment of Appendices to the Dairy Tariff-Rate Import Quota Licensing Regulation for the 2008 Tariff-Rate Quota Year

**AGENCY:** Office of the Secretary, USDA.

**ACTION:** Final rule.

**SUMMARY:** This document sets forth the revised appendices to the Dairy Tariff-Rate Import Quota Licensing Regulation for the 2008 quota year reflecting the cumulative annual transfers from Appendix 1 to Appendix 2 for certain dairy product import licenses permanently surrendered by licensees or revoked by the Licensing Authority.

**DATES:** *Effective Date:* August 29, 2008.

**FOR FURTHER INFORMATION CONTACT:** Jorge Martinez, Dairy Import Licensing Program, Import and Trade Support Programs Division, STOP 1021, U.S. Department of Agriculture, 1400

Independence Avenue, SW., Washington, DC 20250-1021 or telephone at (202) 720-9439 or e-mail at [jorge.martinez@fas.usda.gov](mailto:jorge.martinez@fas.usda.gov).

**SUPPLEMENTARY INFORMATION:** The Foreign Agricultural Service, under a delegation of authority from the Secretary of Agriculture, administers the Dairy Tariff-Rate Import Quota Licensing Regulation codified at 7 CFR 6.20-6.37 that provides for the issuance of licenses to import certain dairy articles under tariff-rate quotas (TRQs) as set forth in the Harmonized Tariff Schedule of the United States. These dairy articles may only be entered into the United States at the low-tier tariff by or for the account of a person or firm to whom such licenses have been issued and only in accordance with the terms and conditions of the regulation.

Licenses are issued on a calendar year basis, and each license authorizes the license holder to import a specified quantity and type of dairy article from a specified country of origin. The Import and Trade Support Programs Division, Foreign Agricultural Service, U.S. Department of Agriculture, issues these licenses and, in conjunction with the U.S. Customs and Border Protection, U.S. Department of Homeland Security, monitors their use.

The regulation at 7 CFR 6.34(a) states: "Whenever a historical license (Appendix 1) is not issued to an applicant pursuant to the provisions of § 6.23, is permanently surrendered or is revoked by the Licensing Authority, the amount of such license will be

transferred to Appendix 2." Section 6.34(b) provides that the cumulative annual transfers will be published in the **Federal Register**. Accordingly, this document sets forth the revised Appendices for the 2008 tariff-rate quota year.

#### List of Subjects in 7 CFR Part 6

Agricultural commodities, Cheese, Dairy products, Imports, Reporting and recordkeeping requirements.

Issued at Washington, DC, the 20th day of June 2008.

**Ronald Lord,**

*Licensing Authority.*

■ Accordingly, 7 CFR Part 6 is amended as follows:

#### PART 6—IMPORT QUOTAS AND FEES

■ 1. The authority citation for Part 6, Subpart—Dairy Tariff-Rate Import Quota Licensing continues to read as follows:

**Authority:** Additional U.S. Notes 6, 7, 8, 12, 14, 16-23 and 25 to Chapter 4 and General Note 15 of the Harmonized Tariff Schedule of the United States (19 U.S.C. 1202), Pub. L. 97-258, 96 Stat. 1051, as amended (31 U.S.C. 9701), and secs. 103 and 404, Pub. L. 103-465, 108 Stat. 4819 (19 U.S.C. 3513 and 3601).

■ 2. Appendices 1, 2 and 3 to Subpart—Dairy Tariff-Rate Import Quota Licensing are revised to read as follows:

#### Appendices 1, 2 and 3 to Subpart—Dairy Tariff-Rate Import Quota Licensing

ARTICLES SUBJECT TO: APPENDIX 1, HISTORICAL LICENSES; APPENDIX 2, NONHISTORICAL LICENSES; AND APPENDIX 3, DESIGNATED IMPORTER LICENSES FOR QUOTA YEAR 2008

[Quantities in kilograms]

| Article by Additional U.S. Note Number and Country of Origin | Appendix<br>1 | Appendix<br>2 | Appendix 3     |                  |
|--------------------------------------------------------------|---------------|---------------|----------------|------------------|
|                                                              |               |               | Tokyo<br>round | Uruguay<br>round |
| NON-CHEESE ARTICLES                                          |               |               |                |                  |
| BUTTER (NOTE 6) .....                                        | 5,361,732     | 1,615,268     | .....          | .....            |
| EU-25 .....                                                  | 75,918        | 20,243        | .....          | .....            |
| New Zealand .....                                            | 116,998       | 33,595        | .....          | .....            |
| Other Countries .....                                        | 54,504        | 19,431        | .....          | .....            |
| Any Country .....                                            | 5,114,312     | 1,541,999     | .....          | .....            |
| DRIED SKIM MILK (NOTE 7) .....                               | .....         | 5,261,000     | .....          | .....            |
| Australia .....                                              | .....         | 600,076       | .....          | .....            |
| Canada .....                                                 | .....         | 219,565       | .....          | .....            |
| Any Country .....                                            | .....         | 4,441,359     | .....          | .....            |
| DRIED WHOLE MILK (NOTE 8) .....                              | 3,175         | 3,318,125     | .....          | .....            |
| New Zealand .....                                            | 3,175         | .....         | .....          | .....            |
| Any Country .....                                            | .....         | 3,318,125     | .....          | .....            |
| DRIED BUTTERMILK/WHEY (NOTE 12) .....                        | 12,760        | 212,221       | .....          | .....            |

ARTICLES SUBJECT TO: APPENDIX 1, HISTORICAL LICENSES; APPENDIX 2, NONHISTORICAL LICENSES; AND APPENDIX 3,  
DESIGNATED IMPORTER LICENSES FOR QUOTA YEAR 2008—Continued

[Quantities in kilograms]

| Article by Additional U.S. Note Number and Country of Origin                                                                                                                                                                                                                                                                   | Appendix<br>1 | Appendix<br>2 | Appendix 3     |                  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|----------------|------------------|
|                                                                                                                                                                                                                                                                                                                                |               |               | Tokyo<br>round | Uruguay<br>round |
| Canada .....                                                                                                                                                                                                                                                                                                                   | .....         | 161,161       | .....          | .....            |
| New Zealand .....                                                                                                                                                                                                                                                                                                              | 12,760        | 51,060        | .....          | .....            |
| BUTTER SUBSTITUTES CONTAINING OVER PERCENT OF BUTTERFAT<br>AND/OR BUTTER OIL (NOTE 14) .....                                                                                                                                                                                                                                   | .....         | 6,080,500     | .....          | .....            |
| Any Country .....                                                                                                                                                                                                                                                                                                              | .....         | 6,080,500     | .....          | .....            |
| TOTAL: NON-CHEESE ARTICLES .....                                                                                                                                                                                                                                                                                               | 5,377,667     | 16,487,114    | .....          | .....            |
| CHEESE ARTICLES                                                                                                                                                                                                                                                                                                                |               |               |                |                  |
| CHEESE AND SUBSTITUTES FOR CHEESE (EXCEPT: SOFT RIPENED<br>COW'S MILK CHEESE; CHEESE NOT CONTAINING COW'S MILK;<br>CHEESE (EXCEPT COTTAGE CHEESE) CONTAINING 0.5 PERCENT<br>OR LESS BY WEIGHT OF BUTTERFAT; AND, ARTICLES WITHIN THE<br>SCOPE OF OTHER IMPORT QUOTAS PROVIDED FOR IN THIS SUB-<br>CHAPTER) (NOTE 16) .....     | 23,345,203    | 8,124,528     | 9,661,128      | 7,496,000        |
| Argentina .....                                                                                                                                                                                                                                                                                                                | 7,690         | .....         | 92,310         | .....            |
| Australia .....                                                                                                                                                                                                                                                                                                                | 535,628       | 5,542         | 758,830        | 1,750,000        |
| Canada .....                                                                                                                                                                                                                                                                                                                   | 1,013,777     | 127,223       | .....          | .....            |
| Costa Rica .....                                                                                                                                                                                                                                                                                                               | .....         | .....         | .....          | 1,550,000        |
| EU-25 .....                                                                                                                                                                                                                                                                                                                    | 16,147,453    | 7,120,203     | 1,132,568      | 3,446,000        |
| Of which Portugal is: .....                                                                                                                                                                                                                                                                                                    | 65,838        | 63,471        | 223,691        | .....            |
| Israel .....                                                                                                                                                                                                                                                                                                                   | 79,696        | .....         | 593,304        | .....            |
| Iceland .....                                                                                                                                                                                                                                                                                                                  | 294,000       | .....         | 29,000         | .....            |
| New Zealand .....                                                                                                                                                                                                                                                                                                              | 4,443,558     | 371,914       | 6,506,528      | .....            |
| Norway .....                                                                                                                                                                                                                                                                                                                   | 124,982       | 25,018        | .....          | .....            |
| Switzerland .....                                                                                                                                                                                                                                                                                                              | 597,513       | 73,899        | 548,588        | 500,000          |
| Uruguay .....                                                                                                                                                                                                                                                                                                                  | .....         | .....         | .....          | 250,000          |
| Other Countries .....                                                                                                                                                                                                                                                                                                          | 100,906       | 100,729       | .....          | .....            |
| Any Country .....                                                                                                                                                                                                                                                                                                              | .....         | 300,000       | .....          | .....            |
| BLUE-MOLD CHEESE (EXCEPT STILTON PRODUCED IN THE UNITED<br>KINGDOM) AND CHEESE AND SUBSTITUTES FOR CHEESE CON-<br>TAINING, OR PROCESSED FROM, BLUE-MOLD CHEESE (NOTE 17) ..                                                                                                                                                    | 2,285,947     | 195,054       | .....          | 430,000          |
| Argentina .....                                                                                                                                                                                                                                                                                                                | 2,000         | .....         | .....          | .....            |
| EU-25 .....                                                                                                                                                                                                                                                                                                                    | 2,283,946     | 195,054       | .....          | 350,000          |
| Chile .....                                                                                                                                                                                                                                                                                                                    | .....         | .....         | .....          | 80,000           |
| Other Countries .....                                                                                                                                                                                                                                                                                                          | 1             | .....         | .....          | .....            |
| CHEDDAR CHEESE, AND CHEESE AND SUBSTITUTES FOR CHEESE<br>CONTAINING, OR PROCESSED FROM, CHEDDAR CHEESE (NOTE<br>18) .....                                                                                                                                                                                                      | 3,619,547     | 664,309       | 519,033        | 7,620,000        |
| Australia .....                                                                                                                                                                                                                                                                                                                | 925,557       | 58,942        | 215,501        | 1,250,000        |
| Chile .....                                                                                                                                                                                                                                                                                                                    | .....         | .....         | .....          | 220,000          |
| EU-25 .....                                                                                                                                                                                                                                                                                                                    | 52,404        | 210,596       | .....          | 1,050,000        |
| New Zealand .....                                                                                                                                                                                                                                                                                                              | 2,539,040     | 257,428       | 303,532        | 5,100,000        |
| Other Countries .....                                                                                                                                                                                                                                                                                                          | 102,546       | 37,343        | .....          | .....            |
| Any Country .....                                                                                                                                                                                                                                                                                                              | .....         | 100,000       | .....          | .....            |
| AMERICAN-TYPE CHEESE, INCLUDING COLBY, WASHED CURD AND<br>GRANULAR CHEESE (BUT NOT INCLUDING CHEDDAR) AND<br>CHEESE AND SUBSTITUTES FOR CHEESE CONTAINING OR PROC-<br>ESSED FROM SUCH AMERICAN-TYPE CHEESE (NOTE 19) .....                                                                                                     | 2,744,970     | 420,583       | 357,003        | .....            |
| Australia .....                                                                                                                                                                                                                                                                                                                | 789,626       | 91,372        | 119,002        | .....            |
| EU-25 .....                                                                                                                                                                                                                                                                                                                    | 145,148       | 208,852       | .....          | .....            |
| New Zealand .....                                                                                                                                                                                                                                                                                                              | 1,657,689     | 104,310       | 238,001        | .....            |
| Other Countries .....                                                                                                                                                                                                                                                                                                          | 152,507       | 16,049        | .....          | .....            |
| EDAM AND GOUDA CHEESE, AND CHEESE AND SUBSTITUTES FOR<br>CHEESE CONTAINING, OR PROCESSED FROM, EDAM AND GOUDA<br>CHEESE (NOTE 20) .....                                                                                                                                                                                        | 5,230,565     | 375,837       | .....          | 1,210,000        |
| Argentina .....                                                                                                                                                                                                                                                                                                                | 110,495       | 14,505        | .....          | 110,000          |
| EU-25 .....                                                                                                                                                                                                                                                                                                                    | 5,000,990     | 288,010       | .....          | 1,100,000        |
| Norway .....                                                                                                                                                                                                                                                                                                                   | 114,318       | 52,682        | .....          | .....            |
| Other Countries .....                                                                                                                                                                                                                                                                                                          | 4,762         | 20,640        | .....          | .....            |
| ITALIAN-TYPE CHEESES, MADE FROM COW'S MILK, (ROMANO MADE<br>FROM COW'S MILK, REGGIANO, PARMESAN, PROVOLONE,<br>PROVOLETTI, SBRINZ, AND GOYA—NOT IN ORIGINAL LOAVES)<br>AND CHEESE AND SUBSTITUTES FOR CHEESE CONTAINING, OR<br>PROCESSED FROM, SUCH ITALIAN-TYPE CHEESES, WHETHER OR<br>NOT IN ORIGINAL LOAVES (NOTE 21) ..... | 6,467,087     | 1,053,460     | 795,517        | 5,165,000        |
| Argentina .....                                                                                                                                                                                                                                                                                                                | 3,931,157     | 194,326       | 367,517        | 1,890,000        |

## ARTICLES SUBJECT TO: APPENDIX 1, HISTORICAL LICENSES; APPENDIX 2, NONHISTORICAL LICENSES; AND APPENDIX 3, DESIGNATED IMPORTER LICENSES FOR QUOTA YEAR 2008—Continued

[Quantities in kilograms]

| Article by Additional U.S. Note Number and Country of Origin                                                                                                                                                                  | Appendix 1        | Appendix 2        | Appendix 3        |                   |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------|-------------------|-------------------|
|                                                                                                                                                                                                                               |                   |                   | Tokyo round       | Uruguay round     |
| EU-25 .....                                                                                                                                                                                                                   | 2,535,930         | 846,070           | .....             | 2,025,000         |
| Romania .....                                                                                                                                                                                                                 | .....             | .....             | .....             | 500,000           |
| Uruguay .....                                                                                                                                                                                                                 | .....             | .....             | 428,000           | 750,000           |
| Other Countries .....                                                                                                                                                                                                         | .....             | 13,064            | .....             | .....             |
| SWISS OR EMMENTHALER CHEESE OTHER THAN WITH EYE FORMATION, GRUYERE-PROCESS CHEESE AND CHEESE AND SUBSTITUTES FOR CHEESE CONTAINING, OR PROCESSED FROM, SUCH CHEESES (NOTE 22) .....                                           | 5,371,777         | 1,279,537         | 823,519           | 380,000           |
| EU-25 .....                                                                                                                                                                                                                   | 4,102,587         | 1,049,407         | 393,006           | 380,000           |
| Switzerland .....                                                                                                                                                                                                             | 1,235,692         | 183,795           | 430,513           | .....             |
| Other Countries .....                                                                                                                                                                                                         | 33,498            | 46,335            | .....             | .....             |
| CHEESE AND SUBSTITUTES FOR CHEESE, CONTAINING 0.5 PERCENT OR LESS BY WEIGHT OF BUTTERFAT (EXCEPT ARTICLES WITHIN THE SCOPE OF OTHER TARIFF-RATE QUOTAS PROVIDED FOR IN THIS SUBCHAPTER), AND MARGARINE CHEESE (NOTE 23) ..... | 1,879,481         | 2,545,437         | 1,050,000         | .....             |
| EU-25 .....                                                                                                                                                                                                                   | 1,879,480         | 2,545,437         | .....             | .....             |
| Israel .....                                                                                                                                                                                                                  | .....             | .....             | 50,000            | .....             |
| New Zealand .....                                                                                                                                                                                                             | .....             | .....             | 1,000,000         | .....             |
| Other Countries .....                                                                                                                                                                                                         | 1                 | .....             | .....             | .....             |
| SWISS OR EMMENTHALER CHEESE WITH EYE FORMATION (NOTE 25) .....                                                                                                                                                                | 16,078,683        | 6,218,648         | 9,557,945         | 2,620,000         |
| Argentina .....                                                                                                                                                                                                               | .....             | 9,115             | 70,885            | .....             |
| Australia .....                                                                                                                                                                                                               | 209,698           | .....             | 290,302           | .....             |
| Canada .....                                                                                                                                                                                                                  | .....             | .....             | 70,000            | .....             |
| EU-25 .....                                                                                                                                                                                                                   | 11,198,973        | 5,277,855         | 4,003,172         | 2,420,000         |
| Iceland .....                                                                                                                                                                                                                 | 149,999           | .....             | 150,001           | .....             |
| Israel .....                                                                                                                                                                                                                  | 27,000            | .....             | .....             | .....             |
| Norway .....                                                                                                                                                                                                                  | 3,187,264         | 468,046           | 3,227,690         | .....             |
| Switzerland .....                                                                                                                                                                                                             | 1,246,164         | 437,941           | 1,745,895         | 200,000           |
| Other Countries .....                                                                                                                                                                                                         | 59,585            | 25,691            | .....             | .....             |
| <b>TOTAL: CHEESE ARTICLES .....</b>                                                                                                                                                                                           | <b>67,023,260</b> | <b>20,877,393</b> | <b>22,764,145</b> | <b>24,921,000</b> |

[FR Doc. E8-19976 Filed 8-28-08; 8:45 am]

BILLING CODE 3410-10-M

**DEPARTMENT OF AGRICULTURE****Animal and Plant Health Inspection Service****9 CFR Part 93**

[Docket No. APHIS-2007-0141]

**Importation of Horses, Ruminants, Swine, and Dogs; Remove Panama From Lists of Regions Where Screwworm Is Considered To Exist****AGENCY:** Animal and Plant Health Inspection Service, USDA.**ACTION:** Final rule.

**SUMMARY:** We are amending the regulations regarding the importation of live horses, ruminants, swine, and dogs by removing Panama from the lists of regions where screwworm is considered to exist. We are taking this action because the eradication of screwworm from Panama has been confirmed. This

action will relieve certain screwworm-related certification and inspection requirements for live animals imported into the United States from Panama.

**DATES:** *Effective Date:* September 29, 2008.

**FOR FURTHER INFORMATION CONTACT:** Dr. Julia Punderson, Regionalization Evaluation Services—Import, Sanitary Trade Issues Team, National Center for Import and Export, VS, APHIS, 4700 River Road Unit 38, Riverdale, MD 20737-1231; (301) 734-0757.

**SUPPLEMENTARY INFORMATION:****Background**

The regulations in 9 CFR part 93 (referred to below as the regulations), prohibit or restrict the importation of certain animals into the United States to prevent the introduction of pests and diseases of livestock and poultry, including New World screwworm (*Cochliomyia hominivorax*).

Screwworm, a pest native to tropical areas and currently found in South America and the Caribbean, causes extensive damage to livestock and other

warm-blooded animals. Subparts C, D, E, and F of the regulations govern the importation of horses, ruminants, swine, and dogs, respectively, and include provisions for the inspection and treatment of these animals if imported from any region of the world where screwworm is considered to exist. Sections 93.301, 93.405, 93.505, and 93.600 list all the regions of the world where screwworm is considered to exist.

On May 16, 2008, we published in the **Federal Register** (73 FR 28382-28385, Docket No. APHIS-2007-0141) a proposal<sup>1</sup> to amend the regulations regarding live horses, ruminants, swine, and dogs by removing Panama from the lists of regions where screwworm is considered to exist in §§ 93.301, 93.405, 93.505, and 93.600.

We solicited comments concerning our proposal for 60 days ending July 15, 2008. We received one comment by that

<sup>1</sup> To view the proposed rule and the comment we received, go to <http://www.regulations.gov/fdmspublic/component/main?main=DocketDetail&d=APHIS-2007-0141>.