

“part” and adding the word “subpart” in its place.

b. Paragraph (c)(13) is amended by adding the word “and” immediately after the semicolon.

11. In § 1.145, paragraph (a) is revised to read as follows:

§ 1.145 Appeal to Judicial Officer.

(a) *Filing of petition.* Within 30 days after receiving service of the Judge’s decision, if the decision is a written decision, or within 30 days after issuance of the Judge’s decision, if the decision is an oral decision, a party who disagrees with the decision, any part of the decision, or any ruling by the Judge or who alleges any deprivation of rights, may appeal the decision to the Judicial Officer by filing an appeal petition with the Hearing Clerk. As provided in § 1.141(h)(2), objections regarding evidence or a limitation regarding examination or cross-examination or other ruling made before the Judge may be relied upon in an appeal. Each issue set forth in the appeal petition and the arguments regarding each issue shall be separately numbered; shall be plainly and concisely stated; and shall contain detailed citations to the record, statutes, regulations, or authorities being relied upon in support of each argument. A brief may be filed in support of the appeal simultaneously with the appeal petition.

* * * * *

§ 1.147 [Amended]

12. In § 1.147, paragraph (h), the word “extened” is removed and the word “extended” is added in its place.

§ 1.148 [Amended]

13. In § 1.148, paragraph (a)(3), the word “leat” is removed and the word “least” is added in its place.

14. In § 1.149 footnote 4 is redesignated as footnote 3.

Done in Washington, DC this 31st day of January, 2003.

Ann M. Veneman,

Secretary of Agriculture.

[FR Doc. 03–3059 Filed 2–6–03; 8:45 am]

BILLING CODE 3410–01–P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

7 CFR Parts 330 and 354

9 CFR Parts 4, 11, 12, 49, 50, 51, 52, 53, 54, 70, 71, 72, 73, 74, 75, 77, 78, 79, 80, 85, 89, 91, 92, 93, 94, 95, 96, 97, 98, 99, 122, 123, 124, 130, 145, 147, 160, 161, 162, 166

[Docket No. 02–076–1]

Animal Health Protection Act; Revisions to Authority Citations

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Final rule.

SUMMARY: We are amending the regulations in title 7, chapter III, and title 9, chapter I, to reflect the enactment of the Animal Health Protection Act (Pub. L. 107–171, 116 Stat. 494, 7 U.S.C. 8301 *et seq.*) in our lists of legal authorities. We are also removing or revising citations and references to animal health statutes that were repealed by the Animal Health Protection Act. In addition, we are updating the authority citations throughout our regulations in titles 7 and 9, where appropriate, to remove duplicative or outdated citations and are making other nonsubstantive editorial changes in the regulations for the sake of clarity.

EFFECTIVE DATE: February 7, 2003.

FOR FURTHER INFORMATION CONTACT: Ms. Cynthia Howard, Chief, Regulatory Analysis and Development, PPD, APHIS, Suite 3C03, 4700 River Road Unit 118, Riverdale, MD 20737–1238, (301) 734–5957.

SUPPLEMENTARY INFORMATION:

Background

In a memorandum titled “Delegations of Authority Farm Security and Rural Investment Act of 2002 (FSRIA),” dated July 10, 2002, the Secretary of Agriculture delegated to the Animal and Plant Health Inspection Service (APHIS) the authority to carry out Subtitle E of FSRIA, known as the Animal Health Protection Act (AHPA) (Subtitle E, Pub. L. 107–171, 116 Stat. 494, 7 U.S.C. 8301 *et seq.*). In this document, we are amending titles 7 and 9 of the Code of Federal Regulations (referred to below as the regulations) to reflect the AHPA in our lists of legal authorities, update authority citations, and remove references to statutes that were repealed by the AHPA.

The AHPA repealed the following statutes:

1. Pub. L. 97–46 (7 U.S.C. 147b);
 2. Section 101(b) of the Act of September 21, 1944 (7 U.S.C. 429);
 3. The Act of August 28, 1950 (7 U.S.C. 2260);
 4. Section 919 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 2260a);
 5. Section 306 of the Tariff Act of 1930 (19 U.S.C. 1306);
 6. Sections 6 through 8 and 10 of the Act of August 30, 1890 (21 U.S.C. 102 through 105);
 7. The Act of February 2, 1903 (21 U.S.C. 111, 120 through 122);
 8. Sections 2 through 9, 11, and 13 of the Act of May 29, 1884 (21 U.S.C. 112, 113, 114, 114a, 114a–1, 115 through 120, 130);
 9. The first section and sections 2, 3, and 5 of the Act of February 28, 1947 (21 U.S.C. 114b, 114c, 114d, 114d–1);
 10. The Act of June 16, 1948 (21 U.S.C. 114e, 114f);
 11. Pub. L. 87–209 (21 U.S.C. 114g, 114h);
 12. The third and fourth provisos of the fourth paragraph under the heading “Bureau of Animal Industry” of the Act of May 31, 1920 (21 U.S.C. 116);
 13. The first section and sections 2, 3, 4, and 6 of the Act of March 3, 1905 (21 U.S.C. 123 through 127);
 14. The first proviso under the heading “General expenses, Bureau of Animal Industry” under the heading “BUREAU OF ANIMAL INDUSTRY” of the Act of June 30, 1914 (21 U.S.C. 128);
 15. The fourth proviso under the heading “Salaries and Expenses” under the heading “Animal and Plant Health Inspection Service” of title I of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (21 U.S.C. 129);
 16. The third paragraph under the heading “MISCELLANEOUS” of the Act of May 26, 1910 (21 U.S.C. 131);
 17. The first section and sections 2 through 6 and 11 through 13 of Pub. L. 87–518 (21 U.S.C. 134 through 134h);
 18. Pub. L. 91–239 (21 U.S.C. 135 through 135b);
 19. Sections 12 through 14 of the Federal Meat Inspection Act (21 U.S.C. 612 through 614); and
 20. Chapter 39 of title 46, United States Code.
- In this document we are also making other changes to the regulations, not related to enactment of the AHPA. We are:
1. Updating or removing from the regulations several outdated or extraneous authority citations;
 2. Correcting several erroneous or outdated specific references to material in the U.S. Code and Code of Federal Regulations; and