Proposed Rule Making

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 171

IMPORTATION OF FISH OR WILDLIFE

Notice of Proposed Rulemaking and Opportunity for Hearing

Pursuant to the authority of Public Law 91-135 (83 Stat. 275), notice is hereby given that the Department of the Interior, with the approval of the Secretary of the Treasury, proposes to designate the following ports as ports of entry for the importation of all fish and wildlife, except shellfish and fishery products imported for commercial purposes, into the United States:

1. New York, N.Y.
2. Miami, Fla.
3. Chicago, Ill.
4. Los Angeles, Calif.
5. San Francisco, Calif.

This designation will be incorporated into the new regulations to be published as a new Part 171 of Title 50, Code of Federal Regulations, which will implement the Endangered Species Conservation Act of 1969, Pub. L. No. 91-135, 83 Stat. 275, and other applicable provisions of Public Law 91-135. Section 4(d) of that act directs the Secretary of the Interior to designate ports for the importation of fish and wildlife into the United States in order to further facilitate enforcement of the Act and to reduce the costs thereof.

This designation will become effective concurrently with the effective date of the Act, June 3, 1970. Thereafter, importation of fish and wildlife into the United States will be prohibited except at the designated ports. The term "fish and wildlife" includes any wild mammals, fish, wild bird, amphibian, reptile, mollusk, or crustacean, or any part, products, egg, or offspring thereof, or the dead body or parts thereof.

This rule will be subject to certain exceptions which will be published in the Federal Register at a later date. These will include: Entry at nondesignated ports for movement under seal to designated port; entry at nondesignated ports for specific items for limited periods of time; entry at nondesignated ports by individual sportsmen or hunters with lawfully taken game, including trophy, and individuals with pets; entry at points along the Canadian and Mexican borders for commercial items originating in Canada or Mexico. All such exceptions shall be subject to conditions to be determined by the Secretary of the Interior.

The designations proposed herein are based on the historical patterns of importation of fish and wildlife into the United States.

Pursuant to the requirement of section 4(d) of Public Law 91-135 that opportunity for a public hearing be given, all interested persons may submit comments, objections, or suggestions orally or in writing at the Auditorium, U.S. Department of the Interior, 18th and C Street NW, Washington, D.C. 20240, on May 11, 1970, beginning at 10 a.m., or may submit such statements in writing to the Director, Bureau of Sport Fisheries and Wildlife, U.S. Department of the Interior, at any time before May 11, 1970.

WALTER J. HICKEL,
Secretary of the Interior.

MARCH 17, 1970.

[F.R. Doc. 70-4382; Filed, Apr. 9, 1970; 8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

7 CFR Parts 1005, 1033, 1034, 1035, 1041

MILK IN GREATER CINCINNATI AND CERTAIN OTHER MARKETING AREAS

Notice of Reopening of Hearing and Supplemental Proposals on Proposed Amendments to Tentative Marketing Agreements and Orders

This notice is supplemental to the notice of hearing which was issued on May 16, 1969, and published in the Federal Register on May 18, 1969.

Notice is hereby given that the aforementioned hearing was held on June 2-6, and July 8-10, 1969, and was reopened and held at the Holiday Inn, U.S. Route 20 and Interstate 76, 19690 Fremont Pike, Perrysburg, Ohio, beginning at 10 a.m. on April 14, 1970, with respect to proposed amendments to the tentative marketing agreements and to the orders regulating the handling of milk in the Greater Cincinnati, Miami Valley, Columbus, Ohio, Northwestern Ohio, and Tri-State marketing areas.

The hearing is called pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 200).

The hearing is reopened for the limited purpose of receiving evidence with respect to the economic and marketing conditions which relate to the immediate need for a seasonal production incentive ("Louisville") plan for the Northwestern Ohio order, and to the additional proposed amendments hereinafter set forth, and any appropriate modifications thereof, to the tentative marketing agreement and to the order regulating the handling of milk in the Northwestern Ohio marketing area.

Evidence may be taken to determine whether emergency marketing conditions exist that would warrant omission of a recommended decision under the rules of practice and procedure (7 CFR Part 200.13(d)) with respect to proposal No. 1.

The proposed amendments, set forth below, have not received the approval of the Secretary of Agriculture.

Proposed by MDM, Inc.

Proposal No. 1. Amend the Northwestern Ohio order to incorporate provisions for a seasonal production incentive ("Louisville") plan identical with the Louisville plan provisions now in the Columbus, Miami Valley, Cincinnati, and Tri-State orders. Such plan would include the following computations in determining the uniform price:

1. Subtract for each month of April through July from the total value of all producer milk the amount obtained by multiplying the hundredweight of producer milk by a rate that is equal to 6 percent of the average basic formula price (computed to the nearest cent) for the preceding calendar year, but not to be more than 25 cents.

2. Add for each month of September through December to the total value of all producer milk one-fourth of the total amount subtracted under the preceding paragraph for the preceding months of April through July.

Proposed by the Dairy Division, Consumer and Marketing Service:

Proposal No. 2. Make such changes as may be necessary to make the entire marketing agreement and the order for the Northwestern Ohio marketing area conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing and the orders may be procured from the Market Administrator, C. T. McCleery, Hartman Building, Room 505, 79 East State Street, Columbus, Ohio 43215, or from the Hearing Clerk, Room 112-A, Administration Building, U.S. Department of Agriculture, Washington, D.C. 20250, or may be there inspected.

Signed at Washington, D.C., on April 7, 1970.

JOHN C. BROWN,
Deputy Administrator, Regulatory Programs.

[F.R. Doc. 70-4412; Filed, Apr. 9, 1970; 8:40 a.m.]