

After consideration of all relevant material presented, including the Board's recommendation, and other information, it is found that this interim final rule, as hereinafter set forth, will tend to effectuate the declared policy of the Act.

This rule invites comments on revising the requirements regarding inedible almonds currently prescribed under the California almond marketing order. Any comments received will be considered prior to finalization of this rule.

Pursuant to 5 U.S.C. 553, it is also found and determined upon good cause that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice prior to putting this rule into effect and that good cause exists for not postponing the effective date of this rule until 30 days after publication in the **Federal Register** because: (1) This rule provides for alternative methods of determining handlers' inedible disposition obligations; (2) this rule should be in effect at the beginning of the crop year which begins on August 1, 1997, so that all handlers are provided the same opportunities under the order; (3) this change was unanimously recommended by the Board at a public meeting and interested parties had an opportunity to provide input; and (4) this rule provides for a 30-day comment period and any comments received will be considered prior to finalization of this rule.

List of Subjects in 7 CFR Part 981

Almonds, Marketing agreements, Nuts, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR part 981 is amended as follows:

PART 981—ALMONDS GROWN IN CALIFORNIA

1. The authority citation for 7 CFR part 981 continues to read as follows:

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

2. In §981.442, paragraph (a)(4) is amended by designating the existing text as paragraph (i) and adding a new paragraph (ii) to read as follows:

§981.442 Quality Control.

- (a) * * *
- (4) * * *

(ii) If a sufficient sample is not available for any lot of almonds, the handler may establish and substantiate, to the satisfaction of the Board, the received weight, the edible and inedible kernel weights, and the adjusted kernel weight by providing sufficient information as the Board may prescribe.

If the handler is only able to establish and substantiate the approximate received weight, an inedible disposition obligation of 10 percent of such received weight may be applied, upon agreement between the Board and the handler.

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Dated: July 8, 1997.

Sharon Bomer Lauritsen,
Acting Director, Fruit and Vegetable Division.
[FR Doc. 97-18392 Filed 7-11-97; 8:45 am]
BILLING CODE 3410-02-P

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 981

[Docket No. A0-214-A7; FV93-981-1]

Almonds Grown In California; Order Amending the Marketing Order

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Correction of final rule.

SUMMARY: This document contains a correction to the final rule published on June 26, 1996, (FR Doc. 96-16304). The final rule amended the marketing order (order) for California almonds and made corresponding changes to the administrative rules and regulations administered under the order.

EFFECTIVE DATE: July 1, 1997.

FOR FURTHER INFORMATION CONTACT: Mark A. Slupek, Marketing Specialist, Marketing Order Administration Branch, Fruit and Vegetable Division, AMS, USDA, room 2523-S, P.O. Box 96456, Washington, DC 20090-6456; telephone: 202-205-2830.

SUPPLEMENTARY INFORMATION:

Background

This final rule amended the order for California almonds. The amendments changed order provisions regarding: five definitions in the order; Almond Board of California nomination procedures, terms of office, qualification procedures, eligibility requirements, voting and tenure requirements; modifying creditable advertising provisions; revising volume control procedures; requiring handlers to maintain records in the State of California; authorizing interest or late payment charges on assessments paid late; providing for periodic continuance referenda; and made necessary conforming changes. That rule overlooked a change to an administrative reporting regulation which corresponded to the change made to the crop year definition. This rule makes that change.

Need for Correction

As published, the final regulations contain errors which may prove to be misleading and are in need of clarification.

List of Subjects in 7 CFR Part 981

Almonds, Marketing agreements, Nuts, Reporting and recordkeeping requirements.

Accordingly, 7 CFR part 981 is corrected by making the following correcting amendments:

PART 981—ALMONDS GROWN IN CALIFORNIA

1. The authority citation for 7 CFR part 981 continues to read as follows:

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

§981.472 [Corrected]

2. In §981.472, paragraph (a) is amended by removing the date "June 30" and adding in its place "July 31".

Dated: July 8, 1997.

Robert C. Keeney,
Director, Fruit and Vegetable Division.
[FR Doc. 97-18391 Filed 7-11-97; 8:45 am]
BILLING CODE 3410-02-P

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 1220

[No. LS-97-005]

Soybean Promotion and Research: Amend the Order to Adjust Representation on the United Soybean Board

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This final rule adjusts the number of members for certain States on the United Soybean Board (Board) to reflect changes in production levels that have occurred since the Board was reapportioned in 1994. These adjustments are required by the Soybean Promotion and Research Order (Order) and result in an increase in Board membership from 59 to 62 effective with the Secretary's 1998 appointments.

EFFECTIVE DATE: August 13, 1997.

FOR FURTHER INFORMATION CONTACT: Ralph L. Tapp, Chief, Marketing Programs Branch; Livestock and Seed Division; Agricultural Marketing Service, USDA, STOP 0251; Room 2606-S; P.O. Box 96456; Washington, D.C. 20090-6456; telephone 202/720-1115.