

provided a bill in equity is filed not later than 20 days after the date of the entry of the ruling.

This order of suspension is issued pursuant to the provisions of the Agricultural Marketing Agreement Act and the order regulating the handling of milk in the Southern Illinois-Eastern Missouri marketing area.

Notice of proposed rulemaking was published in the **Federal Register** on November 25, 1994 (59 FR 60573), concerning the proposed suspension of a portion of the supply plant shipping requirement for Order 32. The public was afforded the opportunity to comment on the notice by submitting written data, views, and arguments by December 2, 1994. Two comment letters supporting the proposed suspension were received.

After consideration of all relevant material, including the proposal in the notice, the comment received, and other available information, it is hereby found and determined that for the period of December 1, 1994, through January 31, 1995, the following provision of the order does not tend to effectuate the declared policy of the Act:

In § 1032.7(b), the words "and at least 75 percent of the total producer milk marketed in that 12-month period by such cooperative association was delivered" and the words "and physically received at".

Statement of Consideration

This document will suspend a portion of the supply plant shipping requirement for a cooperative association that operates a supply plant under Order 32. It will permit a supply plant operated by a cooperative association to qualify as a pool plant if the cooperative shipped 25 percent of the plant's total producer receipts to pool distributing plants during the month and milk from the plant was delivered to a pool distributing plant during each of the immediately preceding months of September through August. It removes a requirement that the cooperative must have shipped 75 percent of its milk to pool distributing plants during the September through August period.

The suspension was requested by Prairie Farms, a dairy farmer cooperative based in Carlinville, Illinois, which owns and operates four fluid milk processing plants and a cultured product/supply plant regulated under the Southern Illinois-Eastern Missouri Federal milk order. These plants are supplied by Prairie Farm's own member dairy farmers and balanced by four cooperative

associations, two of which operate supply plants.

Prairie Farms indicates that for recent months its producer milk at its plants is about 12 to 14 percent higher than the same period in 1993 from approximately the same number of producers. It states that the increased production from its members—primarily due to improved growing conditions that resulted in an abundant supply of high quality feed—has caused it to reduce purchases from other cooperative associations. As a result, it states that two pool supply plants operated by the cooperative associations barely met the shipping requirements for the month of October. Prairie Farms anticipates that a similar situation will occur in November and expects the problem to worsen in the months of December 1994 and January 1995.

Mid-America Dairymen, Inc., and Wisconsin Dairies, a cooperative which operates an Order 32 supply plant located in Waukon, Iowa, filed letters supporting the proposed suspension.

Wisconsin Dairies indicates that it has been supplying milk to Prairie Farms from the Waukon plant for 27 years. The cooperative states that shipments to Prairie Farms in October 1994 were less than 55 percent of plant receipts, compared to 66 percent during October of 1993. It states that it will be impossible for it to ship the required 40 percent in December and 50 percent in January without costly backhauls that would be difficult to justify.

The suspension request should be granted. It will continue to require Order 32 supply plants to serve the market, but at a level that should reduce or eliminate the need to make expensive and inefficient movements of milk simply to meet the supply plant shipping requirement.

It is hereby found and determined that thirty days' notice of the effective date hereof is impractical, unnecessary, and contrary to the public interest in that:

(a) The suspension is necessary to reflect current marketing conditions and to assure orderly marketing conditions in the marketing area;

(b) This suspension does not require of persons affected substantial or extensive preparation prior to the effective date; and

(c) Notice of proposed rulemaking was given to interested parties, and they were afforded opportunity to file written data, views, or arguments concerning this suspension.

Therefore, good cause exists for making this order effective less than 30 days from the date of publication in the **Federal Register**.

List of Subjects in 7 CFR Part 1032

Milk marketing orders.

For the reasons set forth in the preamble, Title 7, Part 1032, is amended as follows:

PART 1032—MILK IN THE SOUTHERN ILLINOIS-EASTERN MISSOURI MARKETING AREA

1. The authority citation for 7 CFR, Part 1032, continues to read as follows:

Authority: Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674.

§ 1032.7 [Suspended in part]

2. In § 1032.7(b), the words "and at least 75 percent of the total producer milk marketed in that 12-month period by such cooperative association was delivered" and the words "and physically received at" are suspended for the period of December 1, 1994, through January 31, 1995.

Dated: December 23, 1994

Patricia Jensen,

Acting Assistant Secretary, Marketing and Regulatory Programs.

[FR Doc. 95–157 Filed 1–3–95; 8:45 am]

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Commodity Credit Corporation

7 CFR Part 1434

RIN 0560–AD73

General Price Support Regulations for Honey

AGENCY: Commodity Credit Corporation, USDA.

ACTION: Final rule.

SUMMARY: The final rule adopts, without change, the interim rule amending the Honey Price Support Loan Program published in the **Federal Register** at 59 FR 23789–23792 on May 9, 1994. The interim rule made certain changes to the Honey Price Support Loan Program for the 1994 through the 1998 crops of honey.

EFFECTIVE DATE: January 4, 1995.

FOR FURTHER INFORMATION CONTACT: James Tegeler, Program Specialist, Consolidated Farm Service Agency (CFSA), USDA, P.O. Box 2415, Washington, DC 20013–2415; telephone 202–720–3110.

SUPPLEMENTARY INFORMATION:

Executive Order 12866

This final rule has been determined to be not significant for purposes of Executive Order 12866 and has not been reviewed by the Office Management and Budget (OMB).

Federal Assistance Program

The title and number of the Federal Assistance Program, as found in the Catalog of Federal Domestic Assistance, to which this rule applies are Commodity Loans and Purchases—10.051.

Regulatory Flexibility Act

It has been determined that the Regulatory Flexibility Act is not applicable because the CCC is not required by 5 U.S.C. 553 or any other provision of law to publish a notice of proposed rulemaking with respect to the subject matter of these determinations.

Environmental Evaluation

It has been determined by an environmental evaluation that this action will have no significant impact on the quality of human environment.

Executive Order 12372

This program is not subject to the provisions of Executive Order 12372, which requires intergovernmental consultation with State and local officials. See the Notice related to 7 CFR part 3015, subpart V, published at 48 FR 29115 (June 24, 1983).

Executive Order 12778

This final rule has been reviewed pursuant to Executive Order 12788. To the extent State and local laws are in conflict with these regulatory provisions, it is the intent of CCC that the terms of the regulations prevail. The provisions of this final rule are not retroactive. Prior to any judicial action in a court of competent jurisdiction, administrative review under 7 CFR part 780 must be exhausted.

Paperwork Reduction Act

Public reporting burden for the information collections contained in this regulation with respect to price support programs is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collections of information. The information collections have previously been cleared under the current regulations by OMB, and assigned OMB Nos. 0560-0087 and 0560-0129.

Interim Rule

The interim rule published in the **Federal Register** on May 9, 1994, with respect to the Honey Price Support Loan Program amended the price support loan rates for 1994 through 1998; revised the limitation on the total

amount of payments a producer may receive; revised the provisions of the honey marketing assessment; lessened the administrative actions Commodity Credit Corporation (CCC) imposes on producers who violate the loan and loan deficiency payment agreements; provided more authority to State and county CFSA committees in administering the program; eliminated obsolete provisions, and incorporated the provisions of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1994, and the Omnibus Budget Reconciliation Act of 1993.

Comments

No comments were received during the comment period which ended on June 8, 1994.

Accordingly, the interim rule published at 59 FR 23789 on May 9, 1994, which amended 7 CFR part 1434 is hereby adopted as a final rule without change.

Signed in Washington, DC, on December 27, 1994.

Bruce R. Weber,

Acting Executive Vice President, Commodity Credit Corporation.

[FR Doc. 95-00133 Filed 1-3-95; 8:45 am]

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NUCLEAR REGULATORY COMMISSION**10 CFR Part 32**

RIN: 3150-AD69

Preparation, Transfer for Commercial Distribution, and Use of Byproduct Material for Medical Use

AGENCY: Nuclear Regulatory Commission.

ACTION: Final rule; clarification.

SUMMARY: The Nuclear Regulatory Commission (NRC) is amending regulatory text and the response to a public comment contained in a final rule published in the **Federal Register** on Friday, December 2, 1994, entitled "Preparation, Transfer for Commercial Distribution, and Use of Byproduct Material for Medical Use." This action is necessary following reconsideration by the NRC regarding the requirements for the information to be included on labels for radioactive drugs to be transferred for commercial distribution. The effect of this action is to reduce regulatory burden and uncertainty for licensees that manufacture and distribute radiopharmaceuticals that

contain byproduct material for medical use.

EFFECTIVE DATE: January 1, 1995.

ADDRESSES: Copies of the public record, including the final regulatory analysis and any public comments received on the proposed rule, may be examined and copied for a fee in the Commission's Public Document Room at 2120 L Street, NW. (Lower Level), Washington, DC.

FOR FURTHER INFORMATION CONTACT: Mr. John L. Telford (301) 415-6229 or Mr. Samuel Z. Jones (301) 415-6198, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

SUPPLEMENTARY INFORMATION:**I. Background**

On Friday, December 2, 1994 (59 FR 61767), the NRC published in the **Federal Register** a final rule regarding 10 CFR Parts 30, 32, and 35 (Preparation, Transfer for Commercial Distribution, and the Use of Byproduct Material for Medical Use). On Thursday, November 17, 1994, the NRC staff received comments on the regulatory guides associated with this rulemaking action during a public meeting with the NRC's Advisory Committee on the Medical Uses of Isotopes (ACMUI). Initially, the NRC staff believed that these comments could be resolved through appropriate regulatory guidance. However, these comments resulted in the NRC staff concluding that the final published requirements in 10 CFR 32.72(a)(4)

(1) Contained an undue burden with regard to the information required to be included on syringe labels; and

(2) Were not clear with regard to what was meant by a "container."

The NRC staff subsequently developed revised regulations to specify the information to be included on each label. In this rulemaking, the NRC is modifying the requirements of 10 CFR 32.72(a)(4) before the published effective date of January 1, 1995. This rulemaking will minimize intrusion into areas related to the practice of medicine in a manner consistent with the Commission's policy as published on February 9, 1979 (44 FR 8242), entitled "Regulation of the Medical Uses of Radioisotopes; Statement of General Policy" and minimize the regulatory burden on licensees. The specific revised requirements and response to the public comment are provided in this document.