

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, in that such rule is necessary to permit the continued pooling of the milk of dairy farmers who have historically supplied the market without the need for making costly and inefficient movements of milk;

(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 interested parties and they were afforded opportunity to file written data, views or arguments concerning this suspension. No comments were received.

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 1126**

Milk marketing orders.

For the reasons set forth in the preamble, the following provision in Title 7, Part 1126, is amended as follows:

#### **PART 1126—MILK IN THE TEXAS MARKETING AREA**

1. The authority citation for 7 CFR Part 1126 continues to read as follows:

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

##### **§ 1126.13 [Suspended in part]**

2. In § 1126.13, paragraph (e)(2) is suspended for the months of March 1, 1995, through July 31, 1995.

Dated: March 27, 1995.

**Patricia Jensen,**

*Acting Assistant Secretary, Marketing and Regulatory Programs.*

[FR Doc. 95–8354 Filed 4–4–95; 8:45 am]

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#### **7 CFR Part 1131**

[DA–95–11]

#### **Milk in the Central Arizona Marketing Area; Suspension of Certain Provisions of the Order**

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Suspension of rule.

**SUMMARY:** This document suspends certain provisions of the Central Arizona Federal milk marketing order beginning April 1, 1995, through March 31, 1996. The suspension eliminates the

requirement that a cooperative association ship at least 50 percent of its receipts to other handler pool plants to maintain pool status of a manufacturing plant operated by the cooperative.

United Dairymen of Arizona, a cooperative association that represents nearly all of the producers who supply milk to the market, requested the suspension. The suspension is necessary to prevent uneconomical and inefficient movements of milk.

**EFFECTIVE DATE:** April 1, 1995, through March 31, 1996.

#### **FOR FURTHER INFORMATION CONTACT:**

Clifford M. Carman, Marketing Specialist, USDA/AMS/Dairy Division, Order Formulation Branch, Room 2971, South Building, P.O. Box 96456, Washington, DC 20090–6456, (202) 720–9368.

**SUPPLEMENTARY INFORMATION:** Prior document in this proceeding:

Notice of Proposed Suspension: Issued February 2, 1995; published February 8, 1995 (60 FR 7466).

The Regulatory Flexibility Act (5 U.S.C. 601–612) requires the Agency to examine the impact of a proposed rule on small entities. Pursuant to 5 U.S.C. 605(b), the Administrator of the Agricultural Marketing Service has certified that this rule will not have a significant economic impact on a substantial number of small entities. This rule lessens the regulatory impact of the order on certain milk handlers and tends to ensure that dairy farmers will continue to have their milk priced under the order and thereby receive the benefits that accrue from such pricing.

The Department is issuing this final rule in conformance with Executive Order 12866.

This final rule has been reviewed under Executive Order 12778, Civil Justice Reform. This rule is not intended to have a retroactive effect. This rule will not preempt any state or local laws, regulations, or policies, unless they present an irreconcilable conflict with this rule.

The Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), provides that administrative proceedings must be exhausted before parties may file suit in court. Under section 608c(15)(A) of the Act, any handler subject to an order may file with the Secretary a petition stating that the order, any provisions of the order, or any obligation imposed in connection with the order is not in accordance with the law and requesting a modification of an order or to be exempted from the order. A handler is afforded the opportunity for a hearing on the petition. After a hearing, the

Secretary would rule on the petition. The Act provides that the district court of the United States in any district in which the handler is an inhabitant, or has its principal place of business, has jurisdiction in equity to review the Secretary's ruling on the petition, 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 of the order regulating the handling of milk in the Central Arizona marketing area.

Notice of proposed rulemaking was published in the **Federal Register** on February 8, 1995 (60 FR 7466)

concerning a proposed suspension of certain provisions of the order.

Interested persons were afforded opportunity to file written data, views and arguments thereon. One comment supporting and one comment opposing the suspension were received.

After consideration of all relevant material, including the proposal in the notice, the comments received and other available information, it is hereby found and determined that for the months of April 1, 1995, through March 31, 1996, the following provisions of the order do not tend to effectuate the declared policy of the Act:

In § 1131.7(c), the words “50 percent or more of”, “(including the skim milk and butterfat in fluid milk products transferred from its own plant pursuant to this paragraph that is not in excess of the skim milk and butterfat contained in member producer milk actually received at such plant)” and “or the previous 12-month period ending with the current month.”

#### **Statement of Consideration**

This rule suspends certain provisions of the Central Arizona order for the months of April 1995 through March 1996. The suspension removes the requirement that a cooperative association that operates a manufacturing plant in the marketing area must ship at least 50 percent of its milk supply during the current month or the previous 12-month period ending with the current month to other handlers' pool plants to maintain the pool status of its manufacturing plant.

Currently the order permits a cooperative association's manufacturing plant, located in the marketing area, to be a pool plant if at least 50 percent of the producer milk of members of the cooperative association is physically received at pool plants of other handlers during the current month or the

previous 12-month period ending with the current month.

The suspension of this shipping requirement was requested by United Dairymen of Arizona (UDA), a cooperative association that represents nearly all of the dairy farmers who supply the Central Arizona market. UDA contends that the continued pool status of their manufacturing plant is threatened by an increase in milk production combined with a drop in Class I sales. UDA states that in 1994 its member production increased 17 percent over the previous year. In 1994, monthly deliveries to distributing plants also increased sufficiently to ensure UDA a safe margin over the minimum 50 percent shipping requirement to maintain pool status of its manufacturing plant.

One dairy farmer filed a comment opposing the suspension action. The dairy farmer opposed the action because it would allow for more milk to continue to be regulated under the order than would otherwise be the case. As a result, the dairy farmer asserted that he would receive a lower blend price than if the action were not taken because some milk would not qualify for regulation under the order.

During the past year, there has been an increase in the production of milk and an increase in distributing plant demand. Primarily, the increased demand is a result of a significant increase in Class I sales in Mexico by Central Arizona handlers. The recent collapse in value of the Mexican peso has curtailed these sales and thus reduced handler requirements for bulk milk deliveries; however, production has not declined. This general increase in production and decline in sales affects all producers in the market equally. If the action were not taken, some milk would not receive the benefits of the blend price resulting from regulation under the order. By taking this action, all producers who have historically supplied the market would continue to share equally in the benefits of regulation without costly and inefficient movements of milk simply to maintain their pool status.

The comment submitted by UDA in support of the proposed suspension clarified the specific order language that UDA requested be suspended. UDA did not intend for the words "its member producer milk" and "received at the pool plants of other handlers during the current month" to be included in the proposed suspension. Upon review of UDA's request and supporting comment, the order language in § 1131.7(c) to be suspended has been

modified to exclude these specific words.

UDA also requested that the suspension be granted for an indefinite period beginning in March 1995. After reviewing the marketing conditions of the Central Arizona marketing area and their relationship with the uncertain value of the Mexican peso, this suspension will be for a one-year period. The marketing conditions indicate that the suspension should not begin until April 1995.

Accordingly, it is appropriate to suspend the aforesaid provisions beginning April 1, 1995, through March 31, 1996.

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, in that such rule is necessary to permit the continued pooling of the milk of dairy farmers who have historically supplied the market without the need for making costly and inefficient movements of milk;

(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 interested parties and they were afforded opportunity to file written data, views or arguments concerning this suspension. Two comments were received.

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 1131**

Milk marketing orders.

For the reasons set forth in the preamble, the following provisions in Title 7, Part 1131, are amended as follows:

#### **PART 1131—MILK IN THE CENTRAL ARIZONA MARKETING AREA**

1. The authority citation for 7 CFR Part 1131 continues to read as follows:

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

##### **§ 1131.7 [Suspended in part]**

2. In § 1131.7(c), the words "50 percent or more of", "(including the skim milk and butterfat in fluid milk products transferred from its own plant pursuant to this paragraph that is not in excess of the skim milk and butterfat contained in member producer milk

actually received at such plant)" and "or the previous 12-month period ending with the current month." are suspended for the months of April 1, 1995, through March 31, 1996.

Dated: March 27, 1995.

**Patricia Jensen,**

*Acting Assistant Secretary, Marketing and Regulatory Programs.*

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## **FEDERAL ELECTION COMMISSION**

[Notice 1995–6]

### **11 CFR Parts 100, 104 and 113**

#### **Expenditures; Reports by Political Committees; Personal Use of Campaign Funds**

**AGENCY:** Federal Election Commission.

**ACTION:** Final rules; announcement of effective date.

**SUMMARY:** On February 9, 1995, the Commission published the text of revised regulations governing the personal use of campaign funds. 60 FR 7862. These regulations implement portions of the Federal Election Campaign Act of 1971, as amended. The Commission announces that the rules are effective as of April 5, 1995.

**EFFECTIVE DATE:** April 5, 1995.

**FOR FURTHER INFORMATION CONTACT:** Ms. Susan E. Propper, Assistant General Counsel, 999 E Street NW., Washington, D.C. 20463, (202) 219–3690 or (800) 424–9530.

**SUPPLEMENTARY INFORMATION:** Today, the Commission is announcing the effective date of its new regulations governing the personal use of campaign funds. The new rules insert a definition of personal use into the Commission's regulations. The rules also amend the definition of expenditure and the reporting requirements for authorized committees in the current regulations.

Section 438(d) of Title 2, United States Code requires that any rules or regulations prescribed by the Commission to carry out the provisions of Title 2 of the United States Code be transmitted to the Speaker of the House of Representatives and the President of the Senate 30 legislative days before they are finally promulgated. These regulations were transmitted to Congress on February 3, 1995. Thirty legislative days expired in the House of Representatives on March 23, 1995. Thirty legislative days expired in the Senate on March 22, 1995.

Announcement of Effective Date: 11 CFR 100.8(b)(22), 104.3(b)(4)(i)(B),