

pear assessment rate was \$0.45 per standard box, or equivalent and \$0.04 for the supplemental assessment rate on Anjou variety pears. This represents a \$0.02 decrease in the assessment rate recommended for this fiscal year.

This rate, when applied to anticipated winter pear shipments of 13,817,000 boxes or equivalent, will yield a total of \$5,941,310 in assessment income. Assessment income, along with \$401,324 from other income sources, and \$493,292 from the Committee's authorized reserve, will be adequate to cover budgeted expenses. The \$493,292 withdrawal of funds from the Committee's authorized reserve will result in no reserve remaining at the end of the 1994-95 fiscal period.

Major expense categories for the 1994-95 fiscal year include \$5,572,500 for advertising; \$276,340 for SOPP data research, \$276,340 for winter pear improvement, \$142,310 for salaries and benefits, and \$612,442 for unshared contingency.

The expenses and assessment rate were authorized in the finalization of the interim final rule issued on November 1, 1994, and published in the **Federal Register** [59 FR 55333, November 7, 1994]. The interim final rule provided a 30-day comment period for interested persons. No comments were received.

The Committee conducted a mail vote during January 1995, and unanimously recommended to increase 1994-95 expenses from \$6,835,926 to \$7,460,160, an increase of \$624,234 from the previously authorized amount. The increase is necessary because the winter pear crop, which was previously estimated at 13,817,000 boxes or equivalent, is now estimated at 15,500,000 boxes.

This under-estimation of over one million boxes, caused the Committee to calculate less assessment income. The Committee is increasing funds for promotion and advertisement for what has become the largest crop of winter pears in the industry's history.

With the approved assessment rate of \$0.43, when applied to winter pear shipments of 15,500,000 boxes or equivalent, will yield a total of \$6,665,000 in assessment income. Assessment income, along with \$368,086 from other income sources, and \$427,074 from the Committee's authorized reserve, will be adequate to cover budgeted expenses.

Major expense categories for the 1994-95 fiscal year are to be revised as follows: \$5,812,500 for advertising, \$538,322 for unshared contingency, \$310,000 for SOPP data research, and

\$310,000 for winter pear improvement (\$5,572,500, \$612,442, \$276,340, and \$276,340, respectively, are the amounts from the previously approved budget).

This action will not impose additional costs on handlers. Therefore, the Administrator of the AMS has determined that this action will not have a significant economic impact on a substantial number of small entities.

After consideration of all relevant matter presented, including the information and recommendations submitted by the Committee and other available information, it is hereby found that this rule as hereinafter set forth will tend to effectuate the declared policy of the Act.

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 or to engage in further public procedure and that good cause exists for not postponing the effective date of this action until 30 days after publication in the **Federal Register** because: (1) The fiscal year for the Committee began July 1, 1994, and the Committee needs to have approval to pay its expenses which are incurred on a continuous basis; (2) handlers are aware of this action which was unanimously recommended by the Committee by mail vote; and (3) no increase in the assessment rate is being recommended so no additional funds will need to be collected from handlers.

List of Subjects in 7 CFR Part 927

Marketing agreements and orders, Pears, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR part 927 is amended as follows:

PART 927—WINTER PEARS GROWN IN OREGON, WASHINGTON, AND CALIFORNIA

1. The authority citation for 7 CFR part 927 continues to read as follows:

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

Note: This section will not appear in the annual Code of Federal Regulations.

§ 927.234 [Amended]

2. § 927.234 is amended by removing "\$6,835,926" and adding in its place "\$7,460,160".

Dated: March 31, 1995.

Sharon Bomer Lauritsen,

Deputy Director, Fruit and Vegetable Division.
[FR Doc. 95-8424 Filed 4-7-95; 8:45 am]

BILLING CODE 3410-02-P

Commodity Credit Corporation

7 CFR Parts 1413 and 1427

RIN 0560-AD42

1995 Extra Long Staple Cotton Program

AGENCY: Commodity Credit Corporation, USDA.

ACTION: Final rule.

SUMMARY: On November 7, 1994, the Commodity Credit Corporation (CCC) issued a proposed rule (58 FR 55378) with respect to the 1995 Production Adjustment Program for Extra Long Staple (ELS) Cotton, which is conducted by the CCC in accordance with the Agricultural Act of 1949, as amended (1949 Act). The 1995 ELS Cotton Acreage Reduction Program (ARP) percentage has been determined to be 10 percent. This final rule amends the regulations to set forth the ARP percentage, the established (target) price, and the price support rate. No paid land diversion (PLD) program will be implemented for the 1995 crop of ELS cotton.

EFFECTIVE DATE: April 10, 1995.

FOR FURTHER INFORMATION CONTACT: Kathryn A. Broussard, Consolidated Farm Service Agency, United States Department of Agriculture, room 3758-S, P.O. Box 2415, Washington, DC 20013-2415 or call 202-720-9222.

SUPPLEMENTARY INFORMATION:

Executive Order 12866

This rule has been determined to be significant and was reviewed by the Office of Management and Budget (OMB) under Executive Order 12866.

Regulatory Flexibility Act

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

Environmental Evaluation

It has been determined by an environmental evaluation that this action will not have a significant impact on the quality of the human environment. Therefore, neither an Environmental Assessment nor an Environmental Impact Statement is needed.

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: Cotton Production Stabilization—10.052.

Executive Order 12778

This final rule has been reviewed in accordance with Executive Order 12778. The provisions of the final rule do not preempt State laws, are not retroactive, and do not involve administrative appeals.

Executive Order 12372

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

Paperwork Reduction Act

The amendments to 7 CFR parts 1413 and 1427 set forth in this final rule do not contain information collections that require clearance by the Office of Management and Budget under the provisions of 44 U.S.C. 35.

Background

This final rule amends 7 CFR part 1413 to set forth determinations on the 1995 ARP and the PLD Program and 7 CFR part 1427 to set forth the determinations on the 1995 price support level. General descriptions of the statutory basis for the 1995 ELS ARP percentage determination in this final rule were set forth in the proposed rule at 59 FR 55378 (November 7, 1994).

Three comments were received during the comment period. Two respondents recommended that an ARP level not higher than 10-percent would be sufficient to maintain a stable level of supplies. One respondent recommended a 15-percent ARP, but recognized that a 10-percent ARP would be acceptable.

In accordance with statutory requirements, the Secretary of Agriculture (Secretary) announced: a 10-percent ARP; a price support level of 79.65 cents per pound; and a target price of 95.6 cents per pound, for the 1995 ELS cotton program on December 1, 1994. The Secretary determined that a 10-percent ARP would maintain U.S. competitiveness in world markets while balancing the risks of excessive supplies and possible shortages. A 10-percent ARP reflects the current supply situation while signaling to domestic and foreign customers that the U.S. will be a reliable supplier.

Acreage Reduction

In accordance with section 103(h)(5) of the 1949 Act, an ARP has been established for the 1995 crop of ELS cotton at 10 percent. Accordingly, producers will be required to reduce their 1995 acreage of ELS cotton for harvest from the crop acreage base established for ELS cotton by at least this established percentage in order to be eligible for price support loans, purchase, and payments.

Paid Land Diversion

In accordance with section 103(h)(5)(B) of the 1949 Act, a PLD Program will not be implemented for the 1995 crop of ELS cotton.

Price Support Rate

In accordance with section 103(h)(2) of the 1949 Act, the price support rate has been established with respect to the 1995 crop of ELS cotton at 79.65 cents per pound.

Established (Target) Price

In accordance with section 103(h)(3)(B) of the 1949 Act, the established (target) price has been established with respect to the 1995 crop of ELS cotton at 95.6 cents per pound.

List of Subjects**7 CFR Part 1413**

Acreage allotments, Cotton, Disaster assistance, Feed grains, Price support programs, Reporting and recordkeeping requirements, Rice, Soil conservation, Wheat.

7 CFR Part 1427

Cotton, Loan programs/agriculture, Packaging and containers, Price support programs, Reporting and recordkeeping requirements, Surety bonds, Warehouses.

Accordingly, 7 CFR parts 1413 and 1427 are amended as follows:

PART 1413—FEED GRAIN, RICE, UPLAND AND EXTRA LONG STAPLE COTTON, WHEAT AND RELATED PROGRAMS

1. The authority citation for 7 CFR part 1413 continues to read as follows:

Authority: 7 U.S.C. 1308, 1308a, 1309, 1441-2, 1444-2, 1444f, 1445b-3a, 1461-1469; 15 U.S.C. 714b and 714c.

2. Section 1413.54 is amended as follows by:

- A. Revising paragraphs (a)(5)(iii) and (a)(5)(iv), and
- B. Adding paragraphs (a)(5)(v),
- C. Adding paragraph (d)(5):

§ 1413.54 Acreage reduction program provisions.

- (a) * * *
- (5) * * *
- (iii) 1993 ELS cotton, 20 percent;
- (iv) 1994 ELS cotton, 15 percent; and
- (v) 1995 ELS cotton, 10 percent.

- * * * * *
- (d) * * *
- (5) For the 1995 crop:
- (i)-(iii) [Reserved]
- (iv) Shall not be made available to producers of ELS cotton.

* * * * *

3. Section 1413.103 is amended by adding paragraph (a)(8)(v) and revising paragraph (b) to read as follows:

§ 1413.103 Established (target) prices.

- (a) * * *
- (8) * * *
- (v) 1995 ELS cotton—\$.95.6/lb.
- (b) ELS cotton target price for the 1996 crop will be established as 120 percent of the loan rate for ELS cotton.

PART 1427—COTTON

4. The authority citation for 7 CFR part 1427 continues to read as follows:

Authority: 7 U.S.C. 1421, 1423, 1425, and 1444-2; 15 U.S.C. 7114b and 714c.

5. Section 1427.8 is amended as follows by:

- A. Revising paragraphs (a)(2)(iii) and (a)(2)(iv), and
- B. Adding paragraph (a)(2)(v):

§ 1427.8 Amount of loan.

- (a) * * *
- (2) * * *
- (iii) 1993 ELS cotton, 88.12 cents per pound;
- (iv) 1994 ELS cotton, 85.03 cents per pound; and
- (v) 1995 ELS cotton, 79.65 cents per pound.

* * * * *

Signed at Washington, DC on March 31, 1995.

Grant Buntrock,

Acting Executive Vice President, Commodity Credit Corporation.

[FR Doc. 95-8743 Filed 4-7-95; 8:45 am]

BILLING CODE 3410-05-P

DEPARTMENT OF ENERGY**10 CFR Part 600****Deviations for the Technology Reinvestment Project**

AGENCY: Department of Energy.

ACTION: Rules; class deviations.

SUMMARY: The Department of Energy (DOE), pursuant to 10 CFR 600.4, hereby