

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF AGRICULTURE

### Food and Consumer Service

#### 7 CFR Parts 210 and 225

RIN: 0584-ACO4

#### Removal of the "Cheese Alternate Products" Specifications From the National School Lunch Program

**AGENCY:** Food and Consumer Service, USDA.

**ACTION:** Proposed Rule; Reopening of comment period.

**SUMMARY:** This proposed rule reopens the comment period established in the National School Lunch Program (NSLP) proposed rule issued by the Department on September 27, 1995 (60 FR 49807). This action is being taken in order to provide interested parties additional time to provide comments on the proposed rule "Removal of the Cheese Alternate Product" specifications from the NSLP.

**DATES:** To be assured of consideration, comments must be postmarked on or before December 27, 1995.

**ADDRESSES:** Ms. Marion Hinners, Section Head, Food Science and Nutrition Section, Technical Assistance Branch, Nutrition and Technical Services Division, USDA, 3101 Park Center Drive, Alexandria, Virginia 22302.

**FOR FURTHER INFORMATION CONTACT:** Ms. Marion Hinners, Section Head, Food Science and Nutrition Section, Technical Assistance Branch, Nutrition and Technical Services Division, USDA, (703)305-2556.

#### SUPPLEMENTARY INFORMATION:

##### Background

On September 27, 1995 the Department published at 60 FR 49807, a proposed rule to remove the specifications for cheese alternate products from the National School Lunch Program. That rule provided for a public comment period to run through November 13, 1995. Comments were

expected from both the institutions currently utilizing the cheese alternate products as well as the manufacturers of the cheese alternates. A national trade organization requested an extension of the comment period. The Department believes that any additional comments would be beneficial in developing a final rule in this area. Accordingly, the Department is reopening the public comment period found in the September 27, 1995 regulations through December 27, 1995.

Dated: November 14, 1995.  
William E. Ludwig,  
*Administrator, Food and Consumer Services.*  
[FR Doc. 95-28767 Filed 11-24-95; 8:45 am]  
BILLING CODE 3410-30-U

### Agricultural Marketing Service

#### 7 CFR Part 1160

[DA-96-01]

#### Fluid Milk Promotion Program; Notice of Referendum

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

**ACTION:** Notice of referendum.

**SUMMARY:** This document announces that a referendum will be held to determine whether fluid milk processors favor the continuation of the Fluid Milk Promotion Order. The National Fluid Milk Processor Board, which administers the order, requested the action. The order will remain in effect if it is favored by at least 50 percent of the fluid milk processors who marketed at least 60 percent of the fluid milk products sold in the United States.

**DATES:** The referendum will be held on February 29 through March 7, 1996. The representative period for establishing voter eligibility will be September 1995.

**FOR FURTHER INFORMATION CONTACT:** Lance Jervis, Referendum Agent, USDA/AMS/Dairy Division, Room 2759, South Building, P.O. Box 96456, Washington, DC 20090-6456, (202) 720-3869.

**SUPPLEMENTARY INFORMATION:** This document announces that a referendum will be conducted on February 29 through March 7, 1996, among fluid milk processors to determine whether the Fluid Milk Promotion Order should continue. The Order is authorized by the Fluid Milk Promotion Act of 1990, as amended by the Fluid Milk

Promotion Amendments Act of 1993. The program is funded by a mandatory 20-cent assessment on processors whose monthly marketing exceeds 500,000 pounds of fluid milk products sold in the United States.

The Fluid Milk Promotion Order, which became effective December 10, 1993, provides that the Secretary shall conduct a continuation referendum at the request of the Board or any group of fluid milk processors which represents 10 percent or more of the fluid milk products marketed in the United States. The order specifies that this continuation referendum should be held not later than June 10, 1996, which is 30 months after the order's effective date.

The Fluid Milk Promotion Order will continue if the Secretary determines that it is favored by at least 50 percent of the processors voting in the referendum who during the representative period (as determined by the Secretary) marketed at least 60 percent of the volume of fluid milk products sold in the United States. The month of September 1995 is hereby determined to be the representative period for the conduct of such referendum. Fluid milk processors who wish to participate in the referendum will have to register to vote by certifying that they were processors during the month of September 1995. Those handlers processing and marketing more than 500,000 pounds of fluid milk products during the month of September will be eligible to vote in the referendum, provided they are fluid milk processors at the time of voter registration and during the time the referendum is conducted.

It is hereby directed that a referendum be conducted during the period of February 29 through March 7, 1996, in accordance with the procedure for the conduct of referenda (7 CFR 1160.600 et seq.), to determine whether the Fluid Milk Promotion Order is approved by fluid milk processors, who during the representative period were engaged in the distribution of fluid milk products within the 48 contiguous United States and the District of Columbia.

Lance Jervis is hereby designated as the agent of the Secretary to conduct such referendum.

In accordance with the Paperwork Reduction Act of 1980 (44 U.S.C. Chapter 35), the forms and reporting and recordkeeping requirements that are