

salaries, \$41,740 (\$40,740), office rent, \$27,168 (\$26,419), office supplies and miscellaneous, \$20,000 (\$15,000), postage, \$7,000 (\$5,000), furniture, fixtures, and automobiles, \$25,000 (\$5,000), domestic market research and development, \$998,000 (\$953,000), walnut production research, \$718,420 (\$718,302), crop estimate, \$67,000 (\$60,000), and \$30,000 for the reserve for contingencies, for which no funding was recommended last year. Items which have decreased compared to the amount budgeted for 1994-95 (in parentheses) are: Administrative salaries, \$99,000 (\$101,712), and production research director, \$34,000 (\$40,000). All other items are budgeted at last year's amounts.

The Board also unanimously recommended an assessment rate of \$0.0116 per kernelweight pound of merchantable walnuts certified, \$0.0005 more than the previous year. This rate, when applied to anticipated shipments of 1,980,000 kernelweight pounds of merchantable walnuts, will yield \$2,296,800 in assessment income, which will be adequate to cover budgeted expenses. Unexpended funds may be used temporarily during the first five months of the subsequent marketing year, but must be made available to the handlers from whom collected within that period.

An interim final rule was published in the Federal Register on October 30, 1995 (60 FR 55178). That interim final rule added § 989.346 to authorize expenses and establish an assessment rate for the Committee. That rule provided that interested persons could file comments through November 29, 1995. No comments were received.

While this action will impose some additional costs on handlers, the costs are in the form of uniform assessments on handlers. Some of the additional costs may be passed on to producers. However, these costs will be offset by the benefits derived by the operation of the marketing order. 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 Board 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.

It is further found that good cause exists for not postponing the effective date of this action until 30 days after publication in the Federal Register (5 U.S.C. 553) because the Committee

needs to have sufficient funds to pay its expenses which are incurred on a continuous basis. The 1995-96 fiscal period began on August 1, 1995. The marketing order requires that the rate of assessment for the fiscal period apply to all assessable walnuts handled during the fiscal period. In addition, handlers are aware of this action which was unanimously recommended by the Committee at a public meeting and published in the Federal Register as an interim final rule.

#### List of Subjects in 7 CFR Part 984

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

For the reasons set forth in the preamble, 7 CFR part 984 is amended as follows:

#### **PART 984—WALNUTS GROWN IN CALIFORNIA**

Accordingly, the interim final rule amending 7 CFR part 984 which was published at 60 FR 55178 on October 30, 1995, is adopted as a final rule without change.

Dated: December 12, 1995.  
Sharon Bomer Lauritsen,  
*Deputy Director, Fruit and Vegetable Division.*  
[FR Doc. 95-30673 Filed 12-15-95; 8:45 am]  
BILLING CODE 3410-02-P

#### **7 CFR Part 1212**

[FV-95-703]

#### **Lime Research, Promotion, and Consumer Information Order**

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

**ACTION:** Final rule; termination order.

**SUMMARY:** This document removes the Lime Research, Promotion, and Consumer Information Order (Order) in its entirety. A referendum was conducted in November 1995 to determine whether continuance of the Order was favored by a majority of the producers, producer-handlers, and importers voting in the referendum. A majority of the persons voting in the referendum did not favor continuance of the Order.

**EFFECTIVE DATE:** December 18, 1995.

**FOR FURTHER INFORMATION CONTACT:** Richard B. Schultz, Research and Promotion Branch, Fruit and Vegetable Division, AMS, USDA, Box 96456, Room 2535-S, Washington, D.C. 20090-6456, telephone (202) 720-5976.

#### **SUPPLEMENTARY INFORMATION:**

The Department of Agriculture (Department) is issuing this rule in

conformance with Executive Order 12866.

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

This action is governed by section 1960 of the Lime Research, Promotion, and Consumer Information Act of 1990, as amended (Act). Section 1960 of the Act provides that the Secretary of Agriculture (Secretary) shall conduct a referendum not later than 30 months after the date on which the collection of assessments begins to determine whether the issuance of the Order is favored by a majority of the producers, producer-handlers, and importers voting in the referendum. Paragraph (b) of section 1960 of the Act requires that the Order continue in effect only if favored by such majority.

#### **Background**

The Lime Research, Promotion, and Consumer Information Act of 1990 (1990 Act) (Pub. L. 101-624, 7 U.S.C. 6201-6212) was enacted on November 28, 1990, for the purpose of establishing an orderly procedure for the development and financing of an effective and coordinated program of research, promotion, and consumer information to strengthen the domestic and foreign markets for limes. The Order required by the 1990 Act became effective on January 27, 1992 (57 FR 2985), after notice and comment rulemaking.

In March 1992 the Department conducted nomination meetings to nominate lime producers and importers for appointment to the Lime Board (Board). The Board members were appointed by the Secretary in September 1992 and the Board conducted its first meeting at the Department in Washington, D.C. in October 1992. During the course of this meeting, the Board and the Department concluded that a technical amendment to the 1990 Act was needed before an order could be implemented. Consequently, full implementation of the Order was delayed until the enactment of such technical amendment.

The Lime Research, Promotion, and Consumer Information Improvement Act (1993 Act) (Pub. L. 103-194, Dec. 14, 1993) contained the necessary technical amendment to properly cover the regulated commodity. The 1993 Act also provided for increasing the exemption level from less than 35,000

pounds annually to less than 200,000; terminating the initial Board; changing the size and composition of the Board; and delaying the initial referendum date.

A proposed rule was published in the April 7, 1994, issue of the Federal Register (58 FR 3446) inviting comments on amending the Order to reflect the provisions of the 1993 Act. A final rule was published in the February 8, 1995, issue of the Federal Register (60 FR 7435).

In March 1995, as a result of terminating the initial Board under the 1993 Act, the Department conducted nomination meetings to nominate lime producers and importers for appointment to the new Board. The Board members were appointed by the Secretary in June 1995 and the newly constituted Board met at the Department in Washington, D.C. in August 1995. At this meeting, amid concern over the changing character of the lime industry, the Board voted that a referendum be conducted before the Order is fully implemented to determine industry support.

Since the enactment of the 1990 Act, the character of the lime industry has significantly changed. As a result of the extensive damage to lime orchards in Florida by Hurricane Andrew in August 1992, domestic production has plummeted and the volume of imports has increased dramatically. Domestic production is not expected to reach pre-Hurricane Andrew levels for several more years because Florida accounted for a majority of domestic production. Imports currently represent roughly 94 percent of lime shipments in the United States.

In response to the Board's vote, an interim final rule with request for comments containing a referendum order and procedures was published in the October 11, 1995, issue of the Federal Register (60 FR 52835). No comments were received.

A representative period from September 1, 1994, through August 31, 1995, was established to determine voter eligibility in the referendum. Persons who produced, produced and handled, or imported 200,000 more pounds of limes for the fresh market during this period were eligible to vote. A voting period from November 1, 1995, through November 15, 1995, was established to allow eligible persons an opportunity to vote.

Continuance of the Order was favored by only 28 percent of the producers, producer-handlers, and importers casting valid ballots in the referendum. Thus, it is found and determined that a majority of persons casting valid ballots

in the referendum do not favor continuance of the Order. Accordingly, it is found and determined that the Order does not tend to effectuate the declared policy of the Act. For these reasons, in accordance with the provisions of the Act, this action will terminate 7 CFR 1212 in its entirety.

It is also found and determined that good cause exists for not postponing the effective date of this action until 30 days after publication in the Federal Register because: (1) A continuance referendum was conducted in November 1995 and a majority of persons voting in the referendum did not favor continuance of the Order; (2) it has been determined that the Order does not tend to effectuate the declared policy of the Act; and (3) no useful purpose would be served in delaying the effective date of the termination order.

#### Termination Order

*It is, therefore, ordered,* That 7 CFR part 1212 is hereby terminated effective on December 18, 1995.

#### List of Subjects in 7 CFR Part 1212

Administrative practice and procedure, Advertising, Limes, Marketing agreements, Reporting and recordkeeping requirements.

#### **PART 1212—[REMOVED]**

For the reasons set forth in the preamble, and under the authority of 7 U.S.C. 6201–6212, 7 CFR Part 1212 is removed.

Dated: December 12, 1995,

Lon Hatamiya,

*Acting Assistant Secretary, Marketing and Regulatory Programs.*

[FR Doc. 95–30671 Filed 12–15–95; 8:45 am]

**BILLING CODE 3410–02–P**

---

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Airspace Docket No. 95–AWP–29]

#### **Amendment of Class E Airspace; Bullhead City, AZ**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** This action amends the Class E airspace area at Bullhead City, AZ. Additional controlled airspace is required for aircraft executing instrument approach procedures at Laughlin/Bullhead International Airport. The intended effect of this

action is to provide adequate controlled airspace for Instrument Flight Rules (IFR) operations at Laughlin/Bullhead International Airport, Bullhead City, AZ.

**EFFECTIVE DATE:** 0901 UTC February 29, 1996.

**FOR FURTHER INFORMATION CONTACT:** Scott Speer, Airspace Specialist, System Management Branch, AWP–530, Air Traffic Division, Western-Pacific Region, Federal Aviation Administration, 15000 Aviation Boulevard, Lawndale, California, 90261, telephone (310) 725–6533.

#### **SUPPLEMENTARY INFORMATION:**

##### History

On October 20, 1995, the FAA proposed to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) by amending the Class E airspace area at Bullhead City, AZ (60 FR 54205).

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments were received. Class E airspace designations are published in Paragraph 6005 of FAA Order 7400.9C, dated August 17, 1995, and effective September 16, 1995, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in this Order.

##### The Rule

This amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) amends the Class E airspace area at Bullhead City, AZ. The intended effect of this action is to provide adequate Class E Airspace for aircraft executing the Standard Instrument Approach Procedure at Laughlin/Bullhead International Airport, Bullhead City, AZ.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this regulation—(1) is not a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under DOT Regulatory Policies and Procedures (44 FR 10034; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities