

along Federal Boulevard to San Miguel Avenue; then east along San Miguel Avenue to Massachusetts Avenue; then south along Massachusetts Avenue to Canton Drive; then southeast along Canton Drive to Skyline Drive; then south along Skyline Drive to Jamacha Road; then east along Jamacha Road to County Highway S17; then south and southwest along County Highway S17 to Otay Lakes Road; then southeast along Otay Lakes Road to H Street; then southwest along H Street to Paseo Del Rey; then south along Paseo Del Rey to Telegraph Canyon Road; then northwest along Telegraph Canyon Road to Oleander Avenue; then south along Oleander Avenue to East Naples Street; then west along East Naples Street to Naples Street; then west along Naples Street to Industrial Boulevard; then north along Industrial Boulevard to L Street; then west along L Street to Interstate Highway 5; then north along Interstate Highway 5 to Harbor Drive; then northwest along Harbor Drive to 32nd Street; then north along 32nd Street to Wabash Boulevard; then northeast along Wabash Boulevard to State Highway 15; then north along State Highway 15 to the point of beginning.

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Done in Washington, DC, this 22nd day of January 1996.

Terry L. Medley,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 96-1414 Filed 1-25-96; 8:45 am]

BILLING CODE 3410-34-P

Agricultural Marketing Service

7 CFR Part 999

[FV95-999-1FIR]

Specialty Crops; Import Regulations—Exemption of Brine Dried Prunes From Import Requirements

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: The Department of Agriculture (Department) is adopting as a final rule, without change, the provisions of an interim final rule which exempted brine dried prunes from import requirements by specifying that brine dried prunes do not fall within the definition of prunes in the import regulation. This rule is implemented in accordance with section 8e of the Agricultural Marketing Agreement Act of 1937. Section 8e requires imports of prunes to meet the same or comparable requirements as

those implemented under Federal Marketing Order No. 993, regulating the handling of dried prunes produced in California. The Department has determined that brine dried prunes are different from those normally handled by California prune handlers and that such prunes shall not be subjected to Section 8e import requirements.

EFFECTIVE DATE: February 26, 1996.

FOR FURTHER INFORMATION CONTACT: Valerie L. Emmer, Marketing Specialist, Marketing Order Administration Branch, Fruit and Vegetable Division, AMS, USDA, room 2523-S, P.O. Box 96456, Washington, DC 20090-6456; telephone: 202-205-2829.

SUPPLEMENTARY INFORMATION: This rule is issued under section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674) (Act). Section 8e provides that whenever certain specified commodities, including prunes, are regulated under a Federal marketing order, imports of those commodities must meet the same or comparable grade, size, quality, and maturity requirements as those in effect for the domestically produced commodities.

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

This rule has been reviewed under Executive Order 12778, Civil Justice Reform. This rule 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 rule.

There are no administrative procedures which must be exhausted prior to any judicial challenge to the provisions of import regulations issued under section 8e of the Act.

Pursuant to the requirements set forth in the Regulatory Flexibility Act (RFA), the Administrator of the Agricultural Marketing Service (AMS) has considered the economic impact of this rule on small entities.

The purpose of the RFA is to fit regulatory actions to the scale of business subject to such actions in order that small businesses will not be unduly or disproportionately burdened. Marketing orders issued pursuant to the Act, and rules issued thereunder, are unique in that they are brought about through group action of essentially small entities acting on their own behalf.

Import regulations issued under section 8e of the Act are based on regulations established under Federal marketing orders for fresh fruits, vegetables, and specialty crops, like

prunes. Thus, import regulations also have small entity orientation and impact both small and large business entities in a manner comparable to rules issued under such marketing orders.

There are approximately 10 importers who may be affected by this final rule. Small agricultural service firms, which include importers of dried prunes, have been defined by the Small Business Administration (13 CFR 121.601) as those whose annual receipts are less than \$5,000,000. A majority of the importers may be classified as small entities.

Prior to publication of the interim final rule in the Federal Register on November 24, 1995 (60 FR 57910), sulfur-bleached prunes, commonly known as silver prunes, and high moisture plums were exempt from import requirements. The interim final rule added brine dried prunes as an additional exemption under the import regulation. This rule finalizes that interim final rule.

Brine dried prunes are different in form and character from those prunes regulated under the order, and were never intended to be subject to section 8e import requirements. Therefore, it is appropriate that they be exempt from the dried prune import regulation specified in § 999.200. Brine dried prunes are imported under International Harmonized Tariff Schedule No. 0813.20.1000. All prunes now regulated under the order are imported under Harmonized Tariff Schedule No. 0813.20.2000.

To exempt brine dried prunes from import regulation requirements, the definition of "prunes" in paragraph (a)(1) of § 999.200, was amended to add brine dried prunes as an exclusion from that definition. Brine dried prunes are defined as prunes that have been impregnated with brine or salt during the dehydration process to the extent that they have lost their form and character as prunes and cannot be reconstituted to permit economic use of the individual fruits as prunes.

The change to the import regulation was published in the Federal Register as an interim final rule on November 24, 1995 (60 FR 57910). That rule provided that interested persons could file comments through December 26, 1995. No comments were received.

In accordance with section 8e of the Act, the United States Trade Representative (USTR) has concurred with the issuance of this rule.

Based on available information, the Administrator of the AMS has determined that the issuance of this rule will not have a significant economic

impact on a substantial number of small entities.

The information collection requirements contained in the referenced section have been previously approved by the Office of Management and Budget (OMB) under the provisions of 44 U.S.C. Chapter 35 and have been assigned OMB number 0581-0099.

After consideration of all relevant matters presented, it is hereby found that the issuance of this rule will tend to effectuate the declared policy of the Act.

List of Subjects in 7 CFR Part 999

Dates, Filberts, Food grades and standards, Imports, Nuts, Prunes, Raisins, Reporting and recordkeeping requirements, Walnuts.

For the reasons set forth in the preamble, 7 CFR part 999 is amended to read as follows:

PART 999—SPECIALTY CROPS; IMPORT REGULATIONS

Accordingly, the interim final rule amending 7 CFR Part 999 which was published at 60 FR 57910 on November 24, 1995, is adopted as a final rule without change.

Dated: January 22, 1996.

Sharon Bomer Lauritsen,
Deputy Director, Fruit and Vegetable Division.
[FR Doc. 96-1296 Filed 1-25-96; 8:45 am]
BILLING CODE 3410-02-P

SMALL BUSINESS ADMINISTRATION

13 CFR Parts 101, 133, and 135

Administration, Index to Approved SBA Reporting and Recordkeeping Requirements, and Intergovernmental Review of Small Business Administration Programs and Activities

AGENCY: Small Business Administration.
ACTION: Final rule.

SUMMARY: In response to President Clinton's government-wide regulatory reform directive, the Small Business Administration completed a page-by-page and line-by-line review of all of its existing regulations. As a result, SBA now clarifies and streamlines its regulations, revising or eliminating any duplicative, outdated, inconsistent or confusing provisions. This rule reorganizes all of present Parts 101, 133, and 135 and consolidates them into one new rule. As part of this streamlining process large portions of present Part 101 have been removed from the regulations and will be published in the

Federal Register. Present Parts 133 and 135 are revised, updated and consolidated with Part 101. Finally, the remaining sections are rewritten into a straightforward "plain English" style of writing.

EFFECTIVE DATE: This rule is effective February 26, 1996.

FOR FURTHER INFORMATION CONTACT: Cheri C. Wolff, Chief Counsel for General Litigation; Office of General Counsel, at (202) 205-6643.

SUPPLEMENTARY INFORMATION: On March 4, 1995, President Clinton issued a Memorandum to Federal agencies directing them to simplify their regulations and eliminate those that are unnecessary. In response to this directive SBA completed a page-by-page, line-by-line review of all of its existing regulations to determine which should be revised or eliminated. This rule revises, amends, reorganizes, and consolidates all of present 13 CFR Parts 101, 133, and 135. This new consolidated rule reorganizes Part 101 into four subparts and renumbers all remaining sections to reflect this new configuration.

Proposed changes to Parts 101, 133, and 135 were published in the Federal Register on November 24, 1995 (60 FR 57965). The public was invited to comment during a thirty day comment period. SBA received no comments concerning this part during that time period. Therefore, the following final rule contains no changes to the proposed rule, except minor typographical ones.

For a detailed description of the changes to each subpart and the new organization of Part 101, please refer to SBA's proposed rules, published at 60 FR 57965 (November 24, 1995).

Compliance With Executive Orders 12612, 12778, and 12866, the Regulatory Flexibility Act (5 U.S.C. 601, et seq.), and the Paperwork Reduction Act (44 U.S.C. 35)

SBA certifies that this rule will not have a significant economic impact on a substantial number of small entities within the meaning of Executive Order 12866 or the Regulatory Flexibility Act, 5 U.S.C. 601, et seq. This rule consolidates three Parts of SBA's current regulations, moves substantial amounts of general organizational information from SBA's regulations to other sources, and rewrites the remaining provisions into plain English. Contracting opportunities and financial assistance for small business will not be affected by this rule. Therefore, it is not likely to have an annual economic effect of \$100 million or more, result in a

major increase in costs or prices, or have a significant adverse effect on competition or the United States economy.

For purposes of the Paperwork Reduction Act, 44 U.S.C. 35, SBA certifies that this final rule contains no new reporting or record keeping requirements. For purposes of Executive Order 12612, SBA certifies that this rule will not have any federalism implications warranting the preparation of a Federalism Assessment. For purposes of Executive Order 12778, SBA certifies that this rule is drafted, to the extent practicable, in accordance with the standards set forth in Section 2 of that Order.

List of Subjects

13 CFR Part 101

Administrative practice and procedure; Authority delegations (Government agencies); Investigations; Organization and functions (Government agencies); Reporting and recordkeeping requirements.

13 CFR Part 133

Reporting and recordkeeping requirements.

13 CFR Part 135

Intergovernmental relations.

For the reasons set forth above, and under the authority of 15 U.S.C. 634(b)(6), SBA hereby amends 13 CFR Chapter I as follows:

1. Part 101 is revised to read as follows:

PART 101—ADMINISTRATION

Subpart A—Overview

- 101.100 What is the purpose of SBA?
- 101.101 Who manages SBA?
- 101.102 Where is SBA's Headquarters located?
- 101.103 Where are SBA's field offices located?
- 101.104 What are the functions of SBA's field offices?
- 101.105 Who may use SBA's official seal and for what purposes?
- 101.106 Does Federal law apply to SBA programs and activities?
- 101.107 What SBA forms are authorized for public use?
- 101.108 Has SBA waived any of the public participation exemptions of the Administrative Procedure Act?
- 101.109 Do SBA regulations include the section headings?

Subpart B—Employment of Private Counsel

- 101.200 When does SBA hire private counsel?
- 101.201 What are the minimum terms of private counsel's employment?