

1996, through December 31, 1996, or until the effective date of any future adjustment, which will be published in the Federal Register. The daily catch limit adjustment is effective 11:30 p.m., local time, March 11, 1996, through December 31, 1996, or until the effective date of any future adjustment, which will be published in the Federal Register.

FOR FURTHER INFORMATION CONTACT: William Hogarth, 301-713-2347.

SUPPLEMENTARY INFORMATION:

Regulations implemented under the authority of the Atlantic Tunas Convention Act (16 U.S.C. 971 *et seq.*) governing the harvest of ABT by persons and vessels subject to U.S. jurisdiction are found at 50 CFR part 285.

Implementing regulations for the Atlantic tuna fisheries at 50 CFR 285.22 provide for a total annual quota of 4 mt of large medium and giant ABT to be harvested from the regulatory area by vessels permitted in the Angling category or the Charter/Headboat category. NMFS is required, under § 285.20(b)(1), to monitor the catch and landing statistics and, on the basis of these statistics, to project a date when the catch of ABT will equal the quota applicable to any period.

As of February 25, 1996, reported recreational fishery landings of Atlantic bluefin tuna (ABT) larger than 73 inches (185 cm) totaled 3.7 metric tons (mt). Information on fishing effort available to NMFS indicates that the remaining quota is likely to be taken within the next few days. Therefore, fishing for, retention, possessing, or landing large medium or giant ABT by vessels in the Angling category or Charter/Headboat category must cease at 11:30 p.m., local time, February 28, 1996. This action is to prevent overharvest of the quota established for this category. Recreational anglers may continue to fish for large medium and giant ABT under the NMFS tag and release program (§ 285.27).

The Angling category fishery for school, large school, and small medium size ABT remains open. Implementing regulations for the Atlantic tuna fisheries at § 285.24 allow for inseason adjustments to the daily catch limits in order to lengthen the fishing season and ensure reasonable fishing opportunities for all geographic areas. The Assistant Administrator for Fisheries, NOAA, may increase or reduce the per angler catch limit for any size class bluefin tuna or may change the per angler limit to a per boat limit or a per boat limit to a per angler limit.

Based on a review of daily landing trends, availability of ABT on the

fishing grounds, and anticipated fishing effort, the daily catch limit is adjusted as follows: No more than one bluefin tuna may be retained each day per Angling category vessel, which may be from the school, large school, or small medium size class. Notice of adjustments must be published at least 5 calendar days prior to a change in daily catch limit becoming effective. Therefore, the catch limit adjustment shall take effect at 11:30 p.m., local time on March 11, 1996.

Subsequent adjustments to the daily catch limit, if any, shall be announced through publication in the Federal Register. Charter/Headboat and General category vessels, when engaged in recreational fishing for school ABT, are subject to the same rules as Angling category vessels.

Classification

This action is taken under 50 CFR 285.20(b) and 50 CFR 285.22 and is exempt from review under E.O. 12866.

Authority: 16 U.S.C. 971 *et seq.*

Dated: February 27, 1996.

Richard W. Surdi,

Acting Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

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50 CFR Part 290

[Docket No. 960221042-6042-01; I.D. 122195B]

RIN 0648-A159

Fishery Marketing Cooperatives; Issuance of Cease and Desist Orders; Removal of Regulation

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Final rule.

SUMMARY: NMFS amends the Code of Federal Regulations (CFR) to remove a regulation that is no longer needed concerning the issuance of cease and desist orders to associations of aquatic products. This action is consistent with the President's Regulatory Reform Initiative.

EFFECTIVE DATE: March 4, 1996.

FOR FURTHER INFORMATION CONTACT: Bruce C. Morehead, (301)713-2358.

SUPPLEMENTARY INFORMATION: On March 4, 1995, as part of the President's Regulatory Reform Initiative, the President directed agencies to conduct a page-by-page review of all regulations

and eliminate or revise those that are outdated or otherwise in need of reform. After conducting a review of 50 CFR part 290, it was determined that it was no longer needed and could be removed.

Part 290 of title 50 CFR provides a remedy under the authority of The Act of June 25, 1934 (48 Stat. 1213) (Act), whereby an association of producers of aquatic products (association) authorized by the Act may be ordered by the Secretary of Commerce (Secretary) to cease and desist from monopolizing or restraining trade to such an extent the price of any aquatic product is unduly enhanced. The regulation provides for a proceeding initiated by the filing of a complaint against an association with the Secretary. Since the establishment of NOAA 25 years ago under Reorganization Plan No. 4 of 1970 (84 Stat. 2090), no such complaints have been filed and NMFS is unaware of any such complaints that may be filed. Therefore, 50 CFR part 290 is no longer needed and is being removed.

Classification

Because this rule merely removes a regulation that is no longer necessary, no useful purpose would be served by providing prior notice and opportunity for public comment. Accordingly, under 5 U.S.C.553(b)(3)(B), for good cause, the Assistant Administrator for Fisheries, NOAA (AA) finds that it is unnecessary to provide prior notice and an opportunity for public comment for this rule. Also, because this rule merely removes a regulation that is no longer needed, the AA finds that no useful purpose would be served by delaying the rule's effective date for 30 days. Therefore, this rule is made effective upon publication.

This final rule has been determined to be not significant for the purpose of E.O. 12866.

List of Subjects in 50 CFR Part 290

Administrative practice and procedure, Antitrust, Cooperatives, Fisheries

Dated: February 26, 1996.

Gary Matlock,

Program Management Officer, National Marine Fisheries Service.

For the reasons set out in the preamble, under the authority of 70 Stat. 1121, as amended; 16 U.S.C. 742 (c), as amended; and Reorganization No. 4 of 1970, 50 CFR part 290 is removed and Subchapter J is vacated.

[FR Doc. 96-4841 Filed 3-1-96; 8:45 am]

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