

# Rules and Regulations

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This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

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## DEPARTMENT OF AGRICULTURE

### Office of the Secretary

#### 7 CFR Part 10

#### Classification, Declassification, and Safeguarding of Classified Information

**AGENCY:** Department of Agriculture.

**ACTION:** Final rule.

**SUMMARY:** This final rule removes the Department of Agriculture (hereinafter "USDA") regulation on classification, declassification, and safeguarding of classified information. This regulation is unnecessary because no requests to declassify documents have been made by the public since it was placed in the Federal Register on March 18, 1983. This action is being taken as part of the National Performance Review program to eliminate unnecessary regulations and improve those that remain in force.

**EFFECTIVE DATE:** June 17, 1996.

#### FOR FURTHER INFORMATION CONTACT:

Mr. James A. Long, Jr., Acting Department Security Officer, Department of Agriculture, AG Box 9616, Washington, D.C. 20250-9616, telephone (202) 720-8313, FAX (202) 690-0681.

**SUPPLEMENTARY INFORMATION:** On April 17, 1995, the President signed Executive Order 12958, "Classified National Security Information," which revoked Executive Order 12356 effective October 16, 1995. Executive Order 12958 requires publication in the Federal Register regulations regarding an agency program for classifying, safeguarding, and declassifying national security information that "affect members of the public." We do not believe that publication is necessary because they do not affect members of the public. Since 1983, the only requests to review classified documents have come to us from other government departments or agencies. No requests have been

received from the public. The removal of 7 CFR Part 10 eliminates a regulation which encompasses 6 pages of the CFR. The Acting Director of Human Resources Management has determined that the Paperwork Reduction Act (44 U.S.C. chapter 35) does not apply because this regulation is being removed.

#### PART 10—CLASSIFICATION, DECLASSIFICATION, AND SAFEGUARDING CLASSIFIED INFORMATION

7 CFR Part 10 is removed.

Dan Glickman,

*Secretary of Agriculture.*

[FR Doc. 96-15233 Filed 6-14-96; 8:45 am]

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## Agricultural Marketing Service

#### 7 CFR Part 922

[Docket No. FV96-922-1IFR]

#### Apricots Grown in Designated Counties in Washington; Temporary Suspension of Grade Requirements

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

**ACTION:** Interim final rule with request for comments.

**SUMMARY:** This interim final rule suspends, for the 1996 season only, the minimum grade requirements (Washington No. 1) currently in effect for fresh shipments of apricots grown in Washington. This change was recommended by the Washington Apricot Marketing Committee (committee), which works with the Department of Agriculture (Department) in administering the marketing order covering apricots grown in designated counties in Washington. This rule will enable handlers to ship more fruit in fresh market channels, taking into consideration the damage caused to Washington apricots by freezing temperatures during the growing season. This change is expected to increase returns to producers and to make more fresh apricots available to consumers.

**DATES:** This interim final rule is effective June 15, 1996. Comments which are received by July 17, 1996, will be considered prior to the issuance of a final rule.

**ADDRESSES:** Interested persons are invited to submit written comments concerning this interim final rule. Comments must be sent in triplicate to the Docket Clerk, Fruit and Vegetable Division, AMS, USDA, Room 2525, South Building, P.O. Box 96456, Washington, DC 20090-6456, Fax: (202) 720-5698. All comments should reference the docket number and the date and page number of this issue of the Federal Register and will be made available for public inspection in the Office of the Docket Clerk during regular business hours.

#### FOR FURTHER INFORMATION CONTACT:

Teresa L. Hutchinson, Northwest Marketing Field Office, Fruit and Vegetable Division, AMS, USDA, 1220 SW Third Avenue, Room 369, Portland, OR 97204; telephone: (503) 326-2724; or Britthany E. Beadle, Marketing Order Administration Branch, Fruit and Vegetable Division, Agricultural Marketing Service, U.S. Department of Agriculture, Room 2523-S, P.O. Box 96456, Washington, DC 20090-6456; telephone: (202) 720-5331.

**SUPPLEMENTARY INFORMATION:** This rule is issued under Marketing Agreement No. 132 and Marketing Order No. 922 [7 CFR Part 922], both as amended, regulating the handling of apricots grown in designated counties in Washington, hereinafter referred to as the "order." The order is authorized by the Agricultural Marketing Agreement Act of 1937, as amended [7 U.S.C. 601-674], hereinafter referred to as the "act." 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.

The Act provides that administrative proceedings must be exhausted before parties may file suit in court. Under section 608c(15)(A) of the act, any handler subject to an order may file with the Secretary a petition stating that the order, any provision of the order, or any obligation imposed in connection with the order is not in accordance with law and request a modification of the order or to be exempted therefrom. A handler is afforded the opportunity for