

container specified in § 911.329 unless such container is marked with a Federal-State Inspection Service lot stamp number showing that the limes have been inspected in accordance with regulations issued under § 911.48 of the marketing order: Provided, That when inspection occurs after palletization, only all exposed or outside containers of limes must be plainly marked with the lot stamp number corresponding to the lot inspection conducted by an authorized inspector.

\* \* \* \* \*

### **PART 915—AVOCADOS GROWN IN SOUTH FLORIDA**

3. In § 915.306, paragraph (a)(4) is revised to read as follows:

#### **§ 915.306 Florida avocado grade, pack, and container marking regulation.**

(a) \* \* \*

(4) Such avocados are in containers marked with a Federal-State Inspection Service lot stamp number, when handled in containers authorized under § 915.305: Provided, That when inspection occurs after palletization, only all exposed or outside containers of avocados must be plainly marked with the lot stamp number corresponding to the lot inspection conducted by an authorized inspector.

\* \* \* \* \*

Dated: June 13, 1996.

Sharon Bomer Lauritsen,  
*Acting Director, Fruit and Vegetable Division.*  
[FR Doc. 96-15627 Filed 6-18-96; 8:45 am]

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### **7 CFR Parts 916 and 917**

[Docket No. FV95-916-4C]

#### **Nectarines and Peaches Grown in California; Revision of Handling Requirements for Fresh Nectarines and Peaches**

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

**ACTION:** Interim final rule; correction.

**SUMMARY:** This document contains a correction to the interim final rule published on March 27, 1996, concerning nectarines and peaches grown in California.

**EFFECTIVE DATE:** April 1, 1996.

**FOR FURTHER INFORMATION CONTACT:** Kenneth Johnson, Marketing Specialist, Marketing Order Administration Branch, Fruit and Vegetable Division, AMS, USDA, P.O. Box 96456, Room 2523-S, Washington, DC 20090-6456; telephone: (202) 720-2861; or Terry Vawter, Marketing Specialist, California

Marketing Field Office, Marketing Order Administration Branch, Fruit and Vegetable Division, AMS, USDA, 2202 Monterey Street, Suite 102B, Fresno, California, 93721; telephone: (209) 487-5901.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

This rule revises handling requirements for California nectarines and peaches under Marketing Orders 916 and 917 for the 1996 season. This interim final rule enables handlers to continue shipping fresh nectarines and peaches meeting consumer needs in the interest of producers, handlers, and consumers of these fruits.

##### **Need for Correction**

In the interim final rule, FR Doc. 96-7438, published March 27, 1996, the Royal Glo nectarine variety was inadvertently placed under the incorrect minimum size requirement and is in need of correction.

##### **Correction of Publication**

Accordingly, in FR Doc. 96-7438, page 13392, first column, the words "Royal Glo", are removed from § 916.356(a)(6) and added to § 916.356(a)(4) immediately following the words "Rose Diamond."

Dated: June 12, 1996.

Robert C. Keeney,  
*Director, Fruit and Vegetable Division.*  
[FR Doc. 96-15519 Filed 6-18-96; 8:45 am]  
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### **7 CFR Part 946**

[FV96-946-1FR]

#### **Irish Potatoes Grown in Washington; Modification of the Minimum Size Requirements**

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

**ACTION:** Final rule.

**SUMMARY:** This final rule reduces the minimum diameter requirement from 2-1/8 inches to 2 inches for Russet type varieties of Washington potatoes shipped during the July 15 through August 31 period each season. Potato varieties currently being grown for shipment during this period are similar in shape to those grown for marketing during the balance of the season. Reducing the minimum diameter recognizes this similarity and enables handlers to market a larger portion of the crop in fresh outlets. This change should improve the marketing of Washington potatoes and increase

returns to producers as well as provide consumers with increased supplies of potatoes.

**EFFECTIVE DATE:** July 15, 1996.

#### **FOR FURTHER INFORMATION CONTACT:**

Dennis L. West, Northwest Marketing Field Office, Marketing Order Administration Branch, Fruit and Vegetable Division, AMS, USDA, 1220 SW Third Avenue, room 369, Portland, Oregon 97204-2807; telephone: (503) 326-2724 or FAX (503) 326-7440; or Robert F. Matthews, Marketing Order Administration Branch, Fruit and Vegetable Division, AMS, USDA, P.O. Box 96456, room 2523-S, Washington, D.C. 20090-6456; telephone: (202) 690-0464 or FAX (202) 720-5698.

**SUPPLEMENTARY INFORMATION:** This final rule is issued under Marketing Agreement No. 113 and Marketing Order No. 946 (7 CFR part 946), both as amended, regulating the handling of Irish potatoes grown 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 State of Washington Potato Committee (Committee) is the agency responsible for local administration of the marketing order program in the designated production area.

The Department of Agriculture (Department) is issuing this rule in conformance with Executive Order 12866.

This final rule has been reviewed under Executive Order 12778, Civil Justice Reform. This rule is not intended to have retroactive effect. This final 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 a hearing on the petition. After the hearing the Secretary will rule on the petition. The Act provides that the district court of the United States in any district in which the handler is an inhabitant, or has his or her principal place of business, has jurisdiction to review the Secretary's ruling on the petition, provided an action is filed not

later than 20 days after the date of the entry of the ruling.

Pursuant to requirements set forth in the Regulatory Flexibility Act (RFA), the Agricultural Marketing Service (AMS) has considered the economic impact of this action 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. Thus, both statutes have small entity orientation and compatibility.

There are approximately 40 handlers of Washington potatoes that are subject to regulation under the order and approximately 450 producers in the regulated production area. Small agricultural service firms, which include handlers of Washington potatoes, have been defined by the Small Business Administration (13 CFR 121.601) as those whose annual receipts are less than \$5,000,000, and small agricultural producers are defined as those whose annual receipts are less than \$500,000. The majority of potato handlers and producers regulated under the marketing agreement and order may be classified as small entities.

This final rule reduces the minimum diameter requirement from 2 1/8 inches to 2 inches for Russet type varieties of Washington potatoes shipped during the July 15 through August 31 period each season. This change will enable handlers to market a larger portion of the crop in fresh market outlets. This action is expected to improve the marketing of Washington potatoes and increase returns to producers. Therefore, the AMS has determined that this action will not have a significant economic impact on a substantial number of small entities.

Section 946.52 (7 CFR 946.52) authorizes the issuance of regulations for grade, size, quality, maturity, and pack for any variety or varieties of potatoes grown in different portions of the production area during any period.

Size regulations are currently in effect under section 946.336 in terms of minimum diameter and minimum weight. All Russet types must be 2 1/8 inches minimum diameter or 4 ounces minimum weight during the period July 15 through August 31 each season, and 2 inches or 4 ounces during the remainder of the season. This rule amends section 946.336 by reducing the minimum diameter requirement for Russet type varieties from 2 1/8 inches to

2 inches during the July 15 through August 31 period each season. Thus, the 2 inch minimum diameter or 4 ounce minimum weight will apply to Russet type potatoes throughout the entire season.

At its meeting on February 15, 1996, the Committee unanimously recommended reducing the minimum diameter requirement for Russet type varieties to 2 inches during the period July 15 through August 31, when early crop shipments are made.

When the current minimum diameter requirement for Russet type varieties was established, the Norgold Russet was the primary variety being grown for the early market, i.e., the months of July and August. This variety is more round in shape than those varieties grown for shipment later in the season. The newer varieties grown for the early market, such as the Norkotah Russet, are shaped the same as the varieties traditionally marketed later in the season. Thus, there is no need for a larger diameter requirement for earlier varieties. Therefore, the Committee recommended that all Russet type varieties be subject to the same minimum diameter requirement throughout the entire marketing season.

Reducing the minimum diameter will enable handlers to market a larger portion of the crop in fresh market outlets. This change is expected to improve the marketing of Washington potatoes and increase returns to producers.

The proposed rule concerning this action was published in the April 22, 1996, Federal Register (61 FR 17587), with a 30-day comment period ending May 22, 1996. No comments were received.

After consideration of all relevant material presented, including the information and recommendations submitted by the Committee 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.

Pursuant to 5 U.S.C 553, 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 because: (1) This action relaxes size requirements on handlers and must be effective on July 15, 1996, for the handlers to take full advantage of the relaxed requirements; (2) a 30-day period for written comments was provided on this action and no comments were received; and (3) delaying the effective date of this action will serve no useful purpose.

List of Subjects in 7 CFR Part 946

Marketing agreements, Potatoes, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR part 946 is hereby amended as follows:

#### **PART 946—IRISH POTATOES GROWN IN WASHINGTON**

1. The authority citation for 7 CFR part 946 continues to read as follows:

Authority: 7 U.S.C. 601-674.

2. Section 946.336 is amended by revising paragraph (a)(2)(ii) to read as follows:

#### **§ 946.336 Handling regulation.**

\* \* \* \* \*

(a) \* \* \*

(2) \* \* \*

(ii) All Russet types, 2 inches (54.0 mm) minimum diameter, or 4 ounces minimum weight.

\* \* \* \* \*

Dated: June 13, 1996.

Sharon Bomer Lauritsen,

*Acting Director, Fruit and Vegetable Division.*

[FR Doc. 96-15629 Filed 6-18-96; 8:45 am]

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## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **14 CFR Part 39**

[Docket No. 93-ANE-64; Amendment 39-9668; AD 96-12-27]

RIN 2120-AA64

#### **Airworthiness Directives; AlliedSignal Inc. (formerly Textron Lycoming) LTS 101 Series Turboshaft and LTP 101 Series Turboprop Engines**

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to AlliedSignal Inc. (formerly Textron Lycoming) LTS 101 series turboshaft and LTP 101 series turboprop engines, that requires removal from service of suspect disks for a one-time inspection of the disk tenon area of the gas generator turbine disk. This amendment is prompted by a report of a gas generator turbine disk tenon failure. The actions specified by this AD are intended to prevent total loss of engine power, inflight engine shutdown, and possible damage to the aircraft.

**DATES:** Effective August 19, 1996.