

and Independence Avenue SW., Washington, DC.

Comments were required to be received on Docket No. 96-016-3 on or before May 28, 1996, and on Docket No. 96-016-5 on or before June 24, 1996. We are reopening and extending the comment periods for both of these interim rules until September 3, 1996, in order to receive additional public comments at this forum, and at forums in Arizona, California, and Kansas to be scheduled over the next 2 months. We will give notice of these additional forums in the Federal Register. The comment periods for Docket No. 96-016-6 and Docket No. 96-016-7 are already scheduled to close on September 3, 1996.

A representative of the United States Department of Agriculture (USDA) will preside at the public forum. Any interested person may appear and be heard in person, or through an attorney or other representative. Persons who wish to speak at the public forum will be asked to provide their names and affiliations. Parties wishing to make oral presentations may register in advance by calling the Legislative and Public Affairs staff of APHIS, USDA, at (202) 720-2511 before close of business on July 15, 1996. Registration will also be held at the hearing site on July 17, 1996, from 8 a.m. until 8:45 a.m. Speakers will be scheduled in the order their registration is received.

The public forum will begin at 9 a.m. and is scheduled to end at 5 p.m. local time. However, the forum may be terminated at any time after it begins if all persons desiring to speak have been heard. The presiding officer may limit the time for each presentation so that all interested persons have an opportunity to participate. Attendees who wish to speak but who did not register will be provided time to speak only after all registered speakers have been heard.

The purpose of the forum is to give interested persons an opportunity for oral presentation of data, views, and information to the Department concerning APHIS' program to control and eradicate Karnal bunt. Questions about the content of the interim rules concerning Karnal bunt may be part of the commenters' oral presentations. However, neither the presiding officer nor any other representative of the Department will respond to the comments on the interim rules at the forum, except to clarify or explain provisions of the interim rules.

We ask that anyone who reads a statement provide two copies to the presiding officer at the forum. A transcript will be made of the public forum and the transcript will be placed

in the rulemaking record and will be available for public inspection.

Done in Washington, DC, this 10th day of July 1996.

Terry L. Medley,

*Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 96-17994 Filed 7-11-96; 10:25 am]

BILLING CODE 3410-34-P

## 7 CFR Part 301

[Docket No. 96-016-8]

### Karnal Bunt; Removal of Quarantined Areas; Technical Amendment

**AGENCY:** Animal and Plant Health Inspection Service, USDA.

**ACTION:** Interim rule; technical amendment.

**SUMMARY:** In an interim rule effective June 27, 1996, and published in the Federal Register on July 5, 1996, we amended the Karnal bunt regulations by removing certain areas in Arizona, New Mexico, and Texas from the list of areas quarantined because of infestations of Karnal bunt. We removed a portion of Mohave County, AZ, from the list of quarantined areas that should not have been removed. Therefore, we are amending the boundaries of the quarantined area in Mohave County, AZ, to add that portion of the county to the list of quarantined areas.

**DATES:** This amendment is effective July 9, 1996. We will consider written comments on the interim rule (Docket No. 96-016-6) published at 61 FR 35107, as corrected by this document, received on or before September 3, 1996.

**ADDRESSES:** Please send an original and three copies of your comments to Docket No. 96-016-6, Regulatory Analysis and Development, PPD, APHIS, suite 3C03, 4700 River Road Unit 118, Riverdale MD 20737-1238. Please state that your comments refer to Docket No. 96-016-6. Comments received may be inspected at USDA, room 1141, South Building, 14th Street and Independence Avenue SW., Washington, DC, between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays. Persons wishing to inspect comments are requested to call ahead on (202) 690-2817 to facilitate entry into the comment reading room.

**FOR FURTHER INFORMATION CONTACT:** Mr. Michael B. Stefan, Operations Officer, Domestic and Emergency Operations, PPD, APHIS, 4700 River Road, Unit 134, Riverdale, MD 20737-1236, (301) 734-8247; or e-mail: mstefan@aphis.usda.gov.

**SUPPLEMENTARY INFORMATION:** In an interim rule effective June 27, 1996, and published in the Federal Register on July 5, 1996 (Docket No. 96-016-6) (61 FR 35107), we amended the Karnal bunt regulations in 7 CFR 301.89-3(e) by removing areas in Arizona, New Mexico, and Texas from the list of areas quarantined because of infestations of Karnal bunt. We removed a portion of Mohave County, AZ, from the list of quarantined areas that should not have been removed. Therefore, we are amending the boundaries of the quarantined area in Mohave County, AZ, to add that portion of the county to the list of quarantined areas.

Before the effective date of this document, the portion of Mohave County, AZ, that remained under quarantine for Karnal bunt was located in the western central region of the county and, therefore, was isolated from the larger, continuous area quarantined for infestations of Karnal bunt that includes counties, and portions of counties, in Arizona, California, New Mexico, and Texas. We are expanding the quarantined area in Mohave County, AZ, to include the portion of the county that connects the previously isolated quarantined area to the larger quarantined area. The portion of Mohave County, AZ, that we are adding to the list of quarantined areas does not produce wheat and has no association with Karnal bunt contaminated seed, but regulated articles from areas that are quarantined because of infestations of Karnal bunt are transported through this area. As amended by this document, the quarantined area of Mohave County, AZ, is that portion of the county bounded as follows: Beginning at the intersection of Arizona/Nevada State line and State Route 68; then east along State Route 68 to U.S. Highway 93; then southeast along U.S. Highway 93 to Interstate 40; then east along Interstate 40 to U.S. Highway 93; then south along U.S. Highway 93 to the Mohave/Yavapai County line; then south along the Mohave County line to the Mohave/La Paz County line; then west along the Mohave County line to the Arizona/California State line; then north along the State line to the point of beginning.

This action prevents the artificial spread of Karnal bunt into noninfested areas of the United States while allowing the movement of regulated articles within the area quarantined for Karnal bunt, including counties, and portions of counties, in Arizona, California, New Mexico, and Texas.

List of Subjects in 7 CFR Part 301

Agricultural commodities, Plant diseases and pests, Quarantine,

Reporting and recordkeeping requirements, Transportation.

Accordingly, 7 CFR part 301 is amended as follows:

**PART 301—DOMESTIC QUARANTINE NOTICES**

1. The authority citation for part 301 continues to read as follows:

Authority: 7 U.S.C. 150bb, 150dd, 150ee, 150ff, 161, 162, and 164–167; 7 CFR 2.22, 2.80, and 371.2(c).

2. In § 301.89–3, paragraph (e) is amended by revising the entry for Mohave, County, AZ, to read as follows:

**§ 301.89–3 Quarantined areas.**

\* \* \* \* \*  
(e) \* \* \* \*

Arizona

\* \* \* \* \*

*Mohave County.* Beginning at the intersection of Arizona/Nevada State line and State Route 68; then east along State Route 68 to U.S. Highway 93; then southeast along U.S. Highway 93 to Interstate 40; then east along Interstate 40 to U.S. Highway 93; then south along U.S. Highway 93 to the Mohave/Yavapai County line; then south along the Mohave County line to the Mohave/La Paz County line; then west along the Mohave County line to the Arizona/California State line; then north along the State line to the point of beginning.

\* \* \* \* \*

Done in Washington, DC, this 9th day of July 1996.

Terry L. Medley,

*Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 96–17919 Filed 7–12–96; 8:45 am]

BILLING CODE 3410–34–P

**Agricultural Marketing Service**

**7 CFR Part 948**

[Docket No. FV96–948–2IFR]

**Irish Potatoes Grown in Colorado; Assessment Rate**

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

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

**SUMMARY:** This interim final rule establishes an assessment rate for the Colorado Potato Administrative Committee, San Luis Valley Office (Area II) (Committee) under Marketing Order No. 948 for the 1996–97 and subsequent fiscal periods. The Committee is responsible for local administration of the marketing order which regulates the

handling of Irish potatoes grown in Colorado. Authorization to assess potato handlers enables the Committee to incur expenses that are reasonable and necessary to administer the program.

**DATES:** Effective on September 1, 1996. Comments received by August 14, 1996, will be considered prior to issuance of a final rule.

**ADDRESSES:** Interested persons are invited to submit written comments concerning this rule. Comments must be sent in triplicate to the Docket Clerk, Fruit and Vegetable Division, AMS, USDA, P.O. Box 96456, room 2523–S, Washington, DC 20090–6456, FAX 202–720–5698. Comments should reference the docket number and the date and page number of this issue of the Federal Register and will be available for public inspection in the Office of the Docket Clerk during regular business hours.

**FOR FURTHER INFORMATION CONTACT:** Martha Sue Clark, Program Assistant, Marketing Order Administration Branch, Fruit and Vegetable Division, AMS, USDA, P.O. Box 96456, room 2523–S, Washington, DC 20090–6456, telephone 202–720–9918, FAX 202–720–5698, or Dennis L. West, Marketing Specialist, Northwest Marketing Field Office, Fruit and Vegetable Division, AMS, USDA, Green-Wyatt Federal Building, room 369, 1220 Southwest Third Avenue, Portland, OR 97204, telephone 503–326–2724, FAX 503–326–7440.

**SUPPLEMENTARY INFORMATION:** This rule is issued under Marketing Agreement No. 97 and Order No. 948, both as amended (7 CFR part 948), regulating the handling of Irish potatoes grown in Colorado, hereinafter referred to as the “order.” The order is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), hereinafter referred to as the “Act.”

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

This rule has been reviewed under Executive order 12778, Civil Justice Reform. Under the marketing order now in effect, Colorado potato handlers are subject to assessments. Funds to administer the order are derived from such assessments. It is intended that the assessment rate as issued herein will be applicable to all assessable potatoes beginning September 1, 1996, and continuing until amended, suspended, or terminated. 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. Such handler is afforded the opportunity for a hearing on the petition. After the hearing the Secretary would 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 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 the 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 285 producers of Colorado Area II potatoes in the production area and approximately 118 handlers subject to regulation under the marketing order. Small agricultural producers have been defined by the Small Business Administration (13 CFR 121.601) as those having annual receipts of less than \$500,000, and small agricultural service firms are defined as those whose annual receipts are less than \$5,000,000. The majority of Colorado Area II potato producers and handlers may be classified as small entities.

The Colorado potato marketing order provides authority for the Committee, with the approval of the Department, to formulate an annual budget of expenses and collect assessments from handlers to administer the program. The members of the Committee are producers and handlers of Colorado Area II potatoes. They are familiar with the Committee’s needs and with the costs for goods and services in their local area and are thus in a position to formulate an appropriate budget and assessment rate. The assessment rate is