

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

#### 7 CFR Part 319

[Docket No. 96-083-2]

#### Importation of Cotton and Cotton Products

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

**ACTION:** Notice of reopening and extension of comment period.

**SUMMARY:** We are reopening and extending the comment period for our advance notice of proposed rulemaking that solicits public comment on whether and how our regulations for importing cotton (including seed cotton, cottonseed, cotton lint and linters, cottonseed products, and cotton waste) and cotton covers into the United States need to be changed. This reopening and extension will provide interested groups and individuals with additional time to prepare comments on the advance notice of proposed rulemaking.

**DATES:** Consideration will be given only to comments on Docket No. 96-083-1 that are received on or before April 30, 1997.

**ADDRESSES:** Please send an original and three copies of your comments to Docket No. 96-083-1, 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. 96-083-1. Comments received may be inspected at USDA, room 1141, South Building, 14th Street and Independence Avenue SW., Washington, DC, between 8:00 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. James Petit de Mange, Staff Officer, USDA-APHIS-PPQ-Phytosanitary

Issues Management Team, 4700 River Road, Unit 140, Riverdale, Maryland 20737, Telephone: (301) 734-6799; FAX: (301) 734-5786; or E-mail: jpdmanage@aphis.usda.gov.

#### SUPPLEMENTARY INFORMATION:

##### Background

On December 30, 1996, we published in the **Federal Register** (61 FR 68673-68674, Docket No. 96-083-1) an advance notice of proposed rulemaking for 7 CFR part 319 on whether and how our regulations for importing cotton (including seed cotton, cottonseed, cotton lint and linters, cottonseed products, and cotton waste) and cotton covers into the United States need to be changed.

Comments on the advance notice were required to be received on or before March 31, 1997. We have received a request from the National Cotton Council to extend the period during which comments will be accepted. In response, we are reopening and extending the comment period on Docket No. 96-083-1 for an additional 30 days. This action will allow the National Cotton Council and all other interested groups and individuals additional time to prepare and submit comments.

**Authority:** 7 U.S.C. 150dd, 150ee, 150ff, 151-167, 450, 2803, and 2809; 21 U.S.C. 136 and 136a; 7 CFR 2.22, 2.80, and 371.2(c).

Done in Washington, DC, this 1st day of April 1997.

**Terry L. Medley,**

*Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 97-8922 Filed 4-7-97; 8:45 am]

BILLING CODE 3410-34-P

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

#### 7 CFR Part 1137

[DA-97-02]

#### Milk in the Eastern Colorado Marketing Area; Proposed Suspension or Termination of Certain Provisions of the Order

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

**ACTION:** Proposed suspension or termination of rule.

**SUMMARY:** This document invites written comments on a proposal to suspend indefinitely or terminate part of a provision in the Eastern Colorado milk order which specifies that a distributing plant disposing of ten percent or more of its Grade A milk receipts, or 12,000 pounds per day, whichever is less, as route disposition in the marketing area be considered a fully regulated pool plant. This request was submitted by Brown Swiss-Gillette Dairy, a handler operating a distributing plant that is partially regulated under 3 Federal milk orders. The handler contends that the action is necessary to assure equity among producers and competitiveness among handlers.

**DATES:** Comments must be submitted on or before May 8, 1997.

**ADDRESSES:** Comments (two copies) should be filed with the USDA/AMS/Dairy Division, Order Formulation Branch, Room 2971, South Building, P.O. Box 96456, Washington, DC 20090-6456. Advance, unofficial copies of such comments may be faxed to (202) 690-0552 or e-mailed to OFB-FMMO-Comments@usda.gov. Reference should be given to the title of action and docket number.

#### FOR FURTHER INFORMATION CONTACT:

Constance M. Brenner, Marketing Specialist, USDA/AMS/Dairy Division, Order Formulation Branch, Room 2971, South Building, P.O. Box 96456, Washington, DC 20090-6456, (202) 720-2357, e-mail address: connie m brenner@usda.gov.

**SUPPLEMENTARY INFORMATION:** The Department is issuing this proposed rule in conformance with Executive Order 12866.

This proposed rule has been reviewed under Executive Order 12988, Civil Justice Reform. This rule is not intended to have a retroactive effect. If adopted, this proposed rule will not preempt any state or local laws, regulations, or policies, unless they present an irreconcilable conflict with the rule.

The Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), 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 request modification or exemption from such order by filing with the Secretary a petition stating that the order, any provision of the order, or any obligation