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DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[Docket No. DA-97-08]

Milk in the New England and Other Marketing Areas; Determination of Equivalent Cheese Price Series

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Determination of equivalent price series.

SUMMARY: It has been determined by the Secretary that the National Agricultural Statistics Service (NASS) U.S. average 40-pound block Cheddar cheese price is an equivalent cheese price alternative for use in computing the Basic Formula Price (BFP) which is used to establish milk prices in all Federal milk marketing orders. The Department has been using the simple average for the month of the National Cheese Exchange (NCE) 40-pound block Cheddar cheese price when computing the BFP. As a result of the closing of the NCE, a new cheese price series is needed to announce the BFP for May and future months. The NASS price will also be used to derive a protein price and/or milk quality adjustment in Federal milk orders that contain multiple component pricing plans.

EFFECTIVE DATE: June 5, 1997.

FOR FURTHER INFORMATION CONTACT: John F. Borovies, Chief, Order Formulation Branch, USDA/AMS/Dairy Division, Room 2971, South Building, P.O. Box 96456, Washington, DC 20090-6456, (202) 720-7183, e-mail address john—f—borovies@usda.gov.

SUPPLEMENTARY INFORMATION: This action provides an equivalent cheese price series for calculation of the BFP which is used to derive milk prices in all Federal milk marketing orders (7 CFR Parts 1001, 1002, 1004, 1005, 1006, 1007, 1011, 1012, 1013, 1030, 1032, 1033, 1036, 1040, 1044, 1046, 1049,

1050, 1064, 1065, 1068, 1076, 1079, 1106, 1124, 1126, 1131, 1134, 1135, 1137, 1138, and 1139). The Department has been using the simple average for the month of the NCE 40-pound block Cheddar cheese price data to compute the BFP. However, a new cheese price series is needed by June 5, 1997, to announce the BFP for May and subsequent months, and derive a protein price and/or milk quality adjustment in 10 Federal orders which contain multiple component pricing plans (7 CFR Parts 1030, 1033, 1036, 1040, 1049, 1065, 1068, 1076, 1079, and 1124). Order provisions provide the Secretary authority to adopt an equivalent replacement if a price series needed to calculate the BFP is not available.

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and the applicable provisions of the orders, as amended, regulating the handling of milk in the aforesaid marketing areas, it is hereby found and determined that:

(1) Each Federal milk marketing order provides a BFP that is determined by the Department of Agriculture each month. The pricing formula is based on the prices paid to dairy farmers during the preceding month by unregulated manufacturing plants in Minnesota and Wisconsin, adjusted for changes in dairy product prices between the previous and current month. The NCE served as the source of prices for 40-pound block Cheddar cheese used to construct the BFP in all Federal milk orders.

(2) The price data was also used to calculate a protein price and/or milk quality adjustment in 10 Federal orders which contain multiple component pricing plans.

(3) Each order provides that if for any reason a price or pricing constituent required by the order for computing class prices or for other purposes is not available as prescribed in the order, the market administrator shall use a price or pricing constituent determined by the Secretary to be equivalent to the price or pricing constituent that is required.

(4) The NCE ceased operating after April 25, 1997. The BFP announcement on May 5 was based on April prices reported on the NCE; however, a new cheese price series is needed by June 5 to compute the BFP for May and future months.

(5) The new NASS price series will be announced weekly. It will include all transactions for bulk Cheddar cheese collected from plants located across the United States in which trades were placed during the previous week. Prices will be reported for the 40-pound block, 640-pound block, and 500-pound barrel. The 40-pound block Cheddar cheese price data will be used in the computation of the BFP.

(6) Accordingly, the new NASS U.S. average 40-pound block Cheddar cheese price is determined to be equivalent to the NCE price series for the purposes of computing the BFP used to establish milk prices under all Federal milk orders and deriving a protein price, and/or milk quality adjustment in Federal orders which contain multiple component pricing plans.

The authority citation for 7 CFR Parts 1001 through 1139 continues to read as follows:

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

Dated: May 29, 1997.

Shirley R. Watkins,

Deputy Assistant Secretary, Marketing and Regulatory Programs.

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DEPARTMENT OF AGRICULTURE

Forest Service

Newspapers Used for Publication of Legal Notice, Comment and Appeal of Decisions for Pacific Northwest Region, Oregon and Washington

AGENCY: Forest Service, USDA.

ACTION: Notice.

SUMMARY: On November 6, 1996, the Forest Service published a listing of the newspapers that would be used by all Ranger Districts, Forests, and the Regional Office of the Pacific Northwest Region to publish legal notice of all decisions subject to appeal under 36 CFR Parts 215 and 217 and to publish notice for public comment and notice of decisions subject to the provisions of 36 CFR Part 215. That notice was to inform interested members of the public which newspapers would be used to publish the legal notice for public comment and decision. This allows the public to receive constructive notice of decisions, to provide clear evidence of timely notice, and to achieve consistency in