

# Rules and Regulations

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## DEPARTMENT OF AGRICULTURE

### Office of the Secretary

#### 7 CFR Part 2

[Docket No. HR-97-001]

#### Revisions of Delegations of Authority

**AGENCY:** Department of Agriculture.

**ACTION:** Final rule.

**SUMMARY:** This document revises the delegations of authority from the Secretary of Agriculture and general officers of the Department by redelegating to the Administrator, Agricultural Marketing Service, authorities currently reserved to the Assistant Secretary for Marketing and Regulatory Programs under 7 CFR 2.79(b) that relate to marketing agreements and orders and commodity research and promotion programs.

**EFFECTIVE DATE:** July 14, 1997.

**FOR FURTHER INFORMATION CONTACT:** Barbara Bryant, Legislative Analyst, Legislative Affairs Staff, Agricultural Marketing Service, United States Department of Agriculture, Room 3510—South Building, 1400 Independence Avenue SW, Washington, DC 20250, (202) 720-3203.

**SUPPLEMENTARY INFORMATION:** This rule redelegates to the Administrator, AMS, matters previously reserved to the Assistant Secretary for Marketing and Regulatory Programs that relate to marketing agreements and orders and commodity research and promotion laws. The Administrator, AMS, will assume responsibility for actions previously reserved to the Assistant Secretary for Marketing and Regulatory Programs which include (a) final actions on regulations for fruit and vegetable and dairy marketing agreements and orders; and (b) issuing, amending, terminating or suspending any marketing agreement or order, or any of

the numerous commodity research and promotions laws administered by AMS.

This rule relates to internal agency management. Therefore, pursuant to 5 U.S.C. 553, notice of proposed rulemaking and opportunity to comment thereon are not required, and this rule may be made effective less than 30 days after publication in the **Federal Register**. Further, since this rule relates to internal agency management, it is exempt from the provisions of E.O. 12866 and E.O. 12988. Finally, this subject is not a rule as defined by Public Law No. 96-354, the Regulatory Flexibility Act, and thus, is exempt from the provisions of the Act.

#### List of Subjects in 7 CFR Part 2

Authority delegations (Government agencies).

Accordingly, 7 CFR Part 2 is amended to read as follows:

#### PART 2—DELEGATIONS OF AUTHORITY BY THE SECRETARY OF AGRICULTURE AND GENERAL OFFICERS OF THE DEPARTMENT

1. The authority citation for part 2 continues to read as follows:

**Authority:** Sec. 212(a), Pub. L. 103-354, 108 Stat. 3210, 7 U.S.C. 6912(a)(1); 5 U.S.C. 301; Reorganization Plan No. 2 of 1953, 3 CFR 1949-1953 Comp., p. 1024.

#### Subpart N—Delegations of Authority by the Assistant Secretary for Marketing and Regulatory Programs

2. Section 2.79 is amended by removing and reserving paragraph (b).

Dated: July 8, 1997.

**Michael V. Dunn,**

*Assistant Secretary for Marketing and Regulatory Programs.*

[FR Doc. 97-18327 Filed 7-11-97; 8:45 am]

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## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

#### 7 CFR Part 981

[Docket No. FV97-981-3 IFR]

#### Almonds Grown in California; Revision to Requirements Regarding Inedible Almonds

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

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

**SUMMARY:** This document revises the administrative rules and regulations of the California almond marketing order regarding inedible almonds. Under the terms of the order, handlers are required to obtain inspection on almonds received from growers to determine the percent of inedible almonds in each lot of any variety. Handlers are then required to dispose of a quantity of almonds in excess of 1 percent of the weight of almonds reported as inedible to non-human consumption outlets. This rule allows alternative methods of determining handlers' inedible disposition obligations in such instances. It will add flexibility to the order's rules and regulations and will help ensure that the integrity of the quality control provisions is maintained.

**DATES:** Effective on August 1, 1997. Comments received by August 13, 1997 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, room 2525-S, 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:** Maureen Pello, Marketing Specialist, or Martin Engeler, Assistant Regional Manager, California Marketing Field Office, Marketing Order Administration Branch, F&V, AMS, USDA, 2202 Monterey Street, suite 102B, Fresno, California 93721; telephone: (209) 487-5901, Fax: (209) 487-5906. Small businesses may request information on compliance with this regulation by contacting Jay Guerber, Marketing Order Administration Branch, F&V, AMS, USDA, room 2525-S, P.O. Box 96456, Washington, DC 20090-6456; telephone: (202) 720-2491, Fax: (202) 720-5698.

**SUPPLEMENTARY INFORMATION:** This rule is issued under Marketing Agreement and Order No. 981, both as amended (7 CFR part 981), regulating the handling