believed that the undersized rule change was needed to expedite that reduction. With the excess tonnage of dried prunes, the Committee also considered establishing a reserve pool and diversion program to reduce the oversupply situation. These initiatives were not supported because they would not specifically eliminate the smallest, least valuable prunes which are in oversupply. Instead, the reserve pool and diversion program would eliminate larger size prunes from human consumption outlets. Reserve pools for prunes have historically been implemented on dried prunes regardless of the size of the prunes. While the marketing order also allows handlers to remove the larger prunes from the pool by replacing them with small prunes and the value difference in cash, this exchange would be cumbersome and expensive to administer compared to this rule.

Section 8e of the Act requires that when certain domestically produced commodities, including prunes, are regulated under a Federal marketing order, imports of that commodity must meet the same or comparable grade, size, quality, or maturity requirements for the domestically produced commodity. This action does not impact the dried prune import regulation because the action to be implemented is for volume control, not quality control, purposes. The smaller diameter openings of \( \frac{23}{32} \) of an inch for French prunes and \( \frac{29}{32} \) of an inch for non-French prunes were implemented for the purpose of improving product quality. The increases to \( \frac{24}{32} \) of an inch in diameter for French prunes and \( \frac{30}{32} \) of an inch in diameter for non-French prunes are for purposes of volume control.

Therefore, the increased diameters will not be applied to imported prunes. This action will not impose any additional reporting or recordkeeping requirements on either small or large California dried prune handlers. As with all Federal marketing order programs, reports and forms are periodically reviewed to reduce information requirements and duplication by industry and public sector agencies. In addition, as noted in the initial regulatory flexibility analysis, the Department has not identified any relevant Federal rules that duplicate, overlap, or conflict with this rule.

In addition, the Committee's meeting was widely publicized throughout the prune industry and all interested persons were invited to attend the meeting and participate in Committee deliberations on all issues. Like all Committee meetings, the December 1, 1998, meeting was a public meeting and all entities, both large and small, were able to express views on this issue. The Committee itself is composed of twenty-two members, of which seven are handlers, fourteen are producers, and one is a public member. Moreover, the Committee and its Supply Management Subcommittee have been reviewing this supply management problem for the second year, and this rule reflects their deliberations completely.

A proposed rule concerning this action was published in the Federal Register on January 25, 1999 (64 FR 3660).Copies of this rule were mailed or sent via facsimile to all Committee members, alternates and dried prune handlers. Finally, the rule was made available through the Internet by the U.S. Government Printing Office. The rule provided a comment period which ended April 15, 1999. No comments were received.

After consideration of all relevant material presented, including the information and recommendation submitted by the Committee and other available information, it is hereby found that this rule, as hereafter set forth, will tend to effectuate the declared policy of the Act.

**List of Subjects in 7 CFR Part 993**

Marketing agreements, Plums, Prunes, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR part 993 is amended as follows:

**PART 993—DRIED PRUNES PRODUCED IN CALIFORNIA**

1. The authority citation for 7 CFR part 993 continues to read as follows:

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

2. A new § 993.406 is added to read as follows:

**Note:** This section will not appear in the Code of Federal Regulations.

**§ 993.406 Undersized prune regulation for the 1999–2000 crop year.**

Pursuant to §§ 993.49(c) and 993.52, an undersized prune regulation for the 1999–2000 crop year is hereby established. Undersized prunes are prunes which pass through openings as follows: For French prunes, \( \frac{24}{32} \) of an inch in diameter; for non-French prunes, \( \frac{30}{32} \) of an inch in diameter.


Robert C. Keeney,
Deputy Administrator, Fruit and Vegetable Programs.
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**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

14 CFR Part 39

[Docket No. 98–NM–202–AD; Amendment 39–11151; AD 99–09–18]

**RIN 2120–AA64**

Airworthiness Directives; Fokker Model F.28 Mark 0070 and Mark 0100 Series Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** This amendment supersedes an existing airworthiness directive (AD), applicable to certain Fokker Model F.28 Mark 0070 and Mark 0100 series.