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DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Parts 57 and 75

Inspection of Eggs and Regulations for Inspection and Certification of Quality of Agricultural and Vegetable Seeds

CFR Correction

In Title 7 of the Code of Federal Regulations, parts 53 to 209, revised as of Jan. 1, 1999, page 80, § 57.760 is corrected by reinstating text missing from the end of the section, the source note, and the effective date; and page 193, which is duplicate text, is removed. The reinstated text follows:

§ 57.760 Inspection of egg handlers.

* * * any place of business, plant, or transport vehicle subject to inspection under the provisions of the Act.

[63 FR 45675, Aug. 27, 1998. Redesignated at 63 FR 69970, Dec. 17, 1998]

Effective Date Note: At 63 FR 69970, Dec. 17, 1998, § 57.760 was redesignated from § 59.760. At 63 FR 45675, Aug. 27, 1998, § 59.760 was revised, effective Aug. 27, 1999. For the convenience of the user, the superseded text is set forth as follows:

[FR Doc. 99-55527 Filed 8-30-99; 8:45am]

BILLING CODE 1505-01-D

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 906

[Docket No. FV99-906-3 IFR]

Oranges and Grapefruit Grown in Lower Rio Grande Valley in Texas; Changes to Pack Requirements

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Interim final rule with request for comments.

SUMMARY: This rule changes the pack requirements currently prescribed under the marketing order covering oranges and grapefruit grown in the Lower Rio Grande Valley in Texas. The marketing order regulates the handling of such fruit and is administered locally by the Texas Valley Citrus Committee (Committee). This rule changes the orange and grapefruit pack sizes so that each pack size will reflect the actual number of fruit in a 7/10 bushel carton. It also more closely aligns the pack sizes for Texas oranges with the pack sizes used by shippers of California oranges. These changes will enable Texas handlers to compete more effectively in the marketplace. The rule also makes conforming changes to the pack size references in the minimum size regulations to keep the minimum size requirements for orange and grapefruit the same as currently specified.

DATES: Effective September 1, 1999; comments received by November 1, 1999 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 to the Docket Clerk, Fruit and Vegetable Programs, AMS, USDA, room 2525-S, P.O. Box 96456, Washington, DC 20090-6456; Fax: (202) 720-5698; or E-mail: moab.docketclerk@usda.gov. 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: Belinda G. Garza, Regional Manager, McAllen Marketing Field Office, Marketing Order Administration Branch, Fruit and Vegetable Programs, AMS, USDA, 1313 E. Hackberry, McAllen, Texas 78501; telephone: (956) 682-2833, Fax: (956) 682-5942; or George Kelhart, Technical Advisor, Marketing Order Administration Branch, Fruit and Vegetable Programs, AMS, USDA, room 2525-S, P.O. Box 96456, Washington, DC 20090-6456; telephone: (202) 720-2491, Fax: (202) 720-5698. Small businesses may request information on complying with this regulation, or obtain a guide on complying with fruit, vegetable, and specialty crop marketing agreements and orders by contacting Jay Guerber, Marketing Order Administration

Branch, Fruit and Vegetable Programs, AMS, USDA, P.O. Box 96456, room 2525-S, Washington, DC 20090-6456; telephone (202) 720-2491, Fax: (202) 720-5698, or E-mail: Jay.Guerber@usda.gov. You may view the marketing agreement and order small business compliance guide at the following web site: <http://www.ams.usda.gov/fv/moab.html>.

SUPPLEMENTARY INFORMATION: This rule is issued under Marketing Agreement and Order No. 906, as amended (7 CFR part 906), regulating the handling of oranges and grapefruit grown in the Lower Rio Grande Valley in Texas, hereinafter referred to as the "order." The marketing agreement and order are 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 12988, Civil Justice Reform. This rule is not intended to have retroactive effect. 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. A 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.

This rule changes the current orange and grapefruit pack sizes from a 1 $\frac{2}{5}$ bushel box basis to pack sizes based upon the actual number of fruit packed in a $\frac{7}{10}$ bushel carton. The orange pack