

# Rules and Regulations

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## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

#### 7 CFR Part 923

[Docket No. FV99-923-1 IFRC]

#### Sweet Cherries Grown in Designated Counties in Washington; Change in Pack Requirements

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule; correction.

SUMMARY: The Agricultural Marketing Service published in the **Federal Register** on June 24, 1999, an interim final rule which changed the pack requirements prescribed under the Washington cherry marketing order. This document corrects the amendatory instruction in that document.

EFFECTIVE DATE: This correction is effective June 25, 1999.

FOR FURTHER INFORMATION CONTACT: George J. Kelhart, 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.

#### SUPPLEMENTARY INFORMATION:

##### Background

The interim final regulations that are the subject of this correction revised § 923.322, paragraph (e)(1) and the table, but did not change paragraph (e)(2).

##### Need for Correction

As published, the amendatory instruction concerning changes in the sweet cherry regulations needs to be clarified. Otherwise it may prove to be misleading. The instruction, as published in the **Federal Register**, states that "Section 923.322 is amended by revising paragraph (e) to read as follows:". Since the entire paragraph (e) was not changed and only paragraph

(e)(1) was changed, the instruction should specify that only paragraph (e)(1) and the table are revised.

#### Correction of Publication

Accordingly, the publication of interim final regulations (FV99-923-1 IFRC), which was the subject of FR Doc. 99-16055 is corrected as follows:

1. On page 33743, column 2, instruction number 2 is corrected to read "In § 923.322, paragraph (e)(1) and the table are revised to read as follows:".

Dated: September 29, 1999.

Robert C. Keeney,

Deputy Administrator, Fruit and Vegetable Programs.

[FR Doc. 99-25829 Filed 10-4-99; 8:45 am]

BILLING CODE 3410-02-P

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

7 CFR Parts 1000, 1001, 1002, 1004, 1005, 1006, 1007, 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

[DA-97-12]

#### Milk in the New England and Other Marketing Areas; Delay of Effective Date

##### 7 CFR Part / Marketing Area

- 1000 General Provisions of Federal Milk Marketing Orders
- 1001 New England
- 1002 New York-New Jersey
- 1004 Middle Atlantic
- 1005 Carolina
- 1006 Upper Florida
- 1007 Southeast
- 1012 Tampa Bay
- 1013 Southeastern Florida
- 1030 Chicago Regional
- 1032 Southern Illinois-Eastern Missouri
- 1033 Ohio Valley
- 1036 Eastern Ohio-Western Pennsylvania
- 1040 Southern Michigan
- 1044 Michigan Upper Peninsula
- 1046 Louisville-Lexington-Evansville
- 1049 Indiana
- 1050 Central Illinois
- 1064 Greater Kansas City
- 1065 Nebraska-Western Iowa
- 1068 Upper Midwest
- 1076 Eastern South Dakota
- 1079 Iowa
- 1106 Southwest Plains
- 1124 Pacific Northwest
- 1126 Texas

- 1131 Central Arizona
- 1134 Western Colorado
- 1135 Southwestern Idaho-Eastern Oregon
- 1137 Eastern Colorado
- 1138 New Mexico-West Texas
- 1139 Great Basin

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule; delay of effective date.

SUMMARY: This document announces a delay of the October 1, 1999, effective date of the order consolidating the current 31 Federal milk marketing orders into 11 orders. This action is based on a temporary restraining order by the U.S. District Court for the District of Vermont, which enjoins the Secretary of Agriculture from implementing the amendments to the above mentioned orders at this time. The current 31 Federal milk orders will therefore remain in effect.

EFFECTIVE DATE: The effective date of the final rule published on September 1, 1999 at 64 FR 47898 is delayed until further notice.

FOR FURTHER INFORMATION CONTACT: John F. Borovies, Branch Chief, USDA/AMS/ Dairy Division, Order Formulation Branch, Room 2971, South Building, P.O. Box 96456, Washington, DC 20090-6456, (202) 720-6274, e-mail address John.Borovies@usda.gov.

#### SUPPLEMENTARY INFORMATION:

##### Prior Documents in This Proceeding

*Proposed Rule:* Issued January 21, 1998; published January 30, 1998 (63 FR 4802).

*Correction:* Issued February 19, 1998; published February 25, 1998 (63 FR 9686).

*Extension of Time:* Issued March 10, 1998; published March 13, 1998 (63 FR 12417).

*Final Decision on Proposed Amendments:* Issued March 12, 1999; published April 2, 1999 (64 FR 16026).

*Correction:* Issued July 8, 1999; published July 14, 1999 (64 FR 37892).

*Notice of Referenda:* Issued July 14, 1999; published July 21, 1999 (64 FR 39092).

*Final Rule:* Issued August 23, 1999; published September 1, 1999 (64 FR 47898).

##### Statement of Consideration

On September 28, 1999, the U.S. District Court for the District of Vermont