

# Rules and Regulations

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## DEPARTMENT OF AGRICULTURE

### Food and Nutrition Service

#### 7 CFR Parts 271 and 278

RIN 0584-AB90

#### Food Stamp Program: Revisions to the Retail Food Store Definition and Program Authorization Guidance: Delay of Effective Date

**AGENCY:** Food and Nutrition Service, USDA.

**ACTION:** Final rule; delay of effective date.

**SUMMARY:** In accordance with the memorandum of January 20, 2001, from the Assistant to the President and Chief of Staff, entitled "Regulatory Review Plan," published in the **Federal Register** on January 24, 2001, a decision has been made to further temporarily delay for 120 days the effective date of the rule entitled Food Stamp Program: Revisions to the Retail Food Store Definition and Program Authorization Guidance, published in the **Federal Register** on January 12, 2001, 66 FR 2795. The rule implements provisions of the Food Stamp Program Improvements Act of 1994 to revise the criteria for eligibility of firms to participate in the Food Stamp Program as retail food stores, and to provide for notification to such firms of eligibility criteria for participation. The original effective date of this rule, February 12, 2001, was temporarily delayed for 60 days, to April 13, 2001, by a final rule published in the **Federal Register** on February 5, 2001, 66 FR 8885. To the extent that 5 U.S.C. section 553 applies to this action, it is exempt from notice and comment because it constitutes a rule of procedure under 5 U.S.C. section 553(b)(A). Alternatively, the Department's implementation of this rule without opportunity for public comment, effective immediately upon publication today in the **Federal**

**Register**, is based on the good cause exceptions in 5 U.S.C. section 553(b)(B) and 553(d)(3). Seeking public comment is impracticable, unnecessary and contrary to the public interest. The additional 120 day delay in the effective date is necessary to give Department officials the opportunity for further review and consideration of new regulations, consistent with the Assistant to the President's memorandum on January 20, 2001. Given the imminence of the effective date, seeking prior public comment on this temporary delay would have been impractical, as well as contrary to the public interest in the orderly promulgation and implementation of regulations. The imminence of the effective date is also good cause for making this rule effective upon publication.

**DATES:** As of April 12, 2001, the effective date of the final rule entitled Food Stamp Program: Revisions to the Retail Food Store Definition and Program Authorization Guidance, published in the **Federal Register** on January 12, 2001, at 66 FR 2795, the effective date of which was delayed for 60 days by a final rule published in the **Federal Register** on February 5, 2001 at 66 FR 8885, is further delayed for 120 days, from April 13, 2001, to a new effective date of August 13, 2001.

**FOR FURTHER INFORMATION CONTACT:** Sheri Ackerman, Regulatory Control Officer, Food and Nutrition Service, 3101 Park Center Drive, Alexandria, Virginia 22302-1954 or by telephone to (703) 305-2246.

Dated: April 6, 2001.

**Ann M. Veneman,**  
*Secretary.*

[FR Doc. 01-9052 Filed 4-11-01; 8:45 am]

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## DEPARTMENT OF AGRICULTURE

### Commodity Credit Corporation

#### 7 CFR Part 1481

RIN: 0560-AG41

#### Limited California Cooperative Insolvency Payment Program

**AGENCY:** Commodity Credit Corporation, Agriculture.

**ACTION:** Correction to final rule.

**SUMMARY:** This document corrects the definition of "member" in the final rule published in the **Federal Register** of March 13, 2001 (66 FR 14479), regarding the Limited California Cooperative Insolvency Payment Program. The correction clarifies that producers who had a 2000-crop Assignment Contract to produce an eligible commodity for the Tri Valley Growers cooperative for a member of Tri Valley Growers is eligible to apply for a payment under the Limited California Cooperative Insolvency Payment Program.

**EFFECTIVE DATE:** April 9, 2001.

**FOR FURTHER INFORMATION CONTACT:** Toni D. Williams, 202-720-2270.

#### Correction

Accordingly, in the final rule published March 13, 2001, (66 FR 14479) make the following correction:

#### PART 1481—[CORRECTED]

In the final rule, beginning on page 14479 in the issue of March 13, 2001, make the following correction, in § 1481.3, the definitions section. On page 14481 in the second column, remove the definition of "members" and add the following definition in its place:

#### § 1481.3 Definitions.

\* \* \* \* \*

*Member* means a grower that grew or produced, under a contract, an eligible commodity for TVG as a member or as a producer with a 2000-crop Assignment Contract to produce for a member of TVG during crop year 2000.

\* \* \* \* \*

Signed at Washington, DC, on April 6, 2001.

**James R. Little,**

*Acting Executive Vice President, Commodity Credit Corporation.*

[FR Doc. 01-9062 Filed 4-9-01; 3:05 pm]

**BILLING CODE 3410-05-P**