

as prescribed in section 7(g)(1) of the Act. Persons wishing to apply for designation should contact the Compliance Division at the address listed above for forms and information.

**Authority:** Pub. L. 94-582, 90 Stat. 2867, as amended (7 U.S.C. 71 *et seq.*).

Dated: December 2, 2004.

**Donna Reifschneider,**

*Administrator, Grain Inspection, Packers and Stockyards Administration.*

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## DEPARTMENT OF AGRICULTURE

### Grain Inspection, Packers and Stockyards Administration

[04-A-W]

#### Designation of Kansas to Provide Class X or Class Y Weighing Services

**AGENCY:** Grain Inspection, Packers and Stockyards Administration (USDA).

**ACTION:** Notice.

**SUMMARY:** GIPSA announces the designation of Kansas Grain Inspection Service, Inc., (Kansas) to provide Class X or Class Y weighing services under the United States Grain Standards Act, as amended (Act).

**EFFECTIVE DATE:** October 8, 2004.

**ADDRESSES:** USDA, GIPSA, Janet M. Hart, Chief, Review Branch, Compliance Division, STOP 3604, Room 1647-S, 1400 Independence Avenue, SW., Washington, DC 20250-3604.

**FOR FURTHER INFORMATION CONTACT:** Janet M. Hart, at 202-720-8525, e-mail [Janet.M.Hart@usda.gov](mailto:Janet.M.Hart@usda.gov).

**SUPPLEMENTARY INFORMATION:** This action has been reviewed and determined not to be a rule or regulation as defined in Executive Order 12866 and Departmental Regulation 1512-1; therefore, the Executive Order and Departmental Regulation do not apply to this action.

In the May 22, 2003, **Federal Register** (68 FR 27983), GIPSA announced the designation of Kansas to provide official inspection services under the Act, effective July 1, 2003, and ending June 30, 2006. Subsequently, Kansas asked GIPSA to amend their designation to include official weighing services. Section 7A(c)(2) of the Act authorizes GIPSA's Administrator to designate authority to perform official weighing to an agency providing official inspection services within a specified geographic area, if such agency is qualified under Section 7(f)(1)(A) of the Act. GIPSA evaluated all available information regarding the designation criteria in

Section 7(f)(1)(A) of the Act, and determined that Kansas is qualified to provide official weighing services in their currently assigned geographic area.

Effective June 25, 2004, and terminating June 30, 2006 (the end of Kansas' designation to provide official inspection services), Kansas' present designation is amended to include Class X or Class Y weighing within their assigned geographic area, as specified in the November 22, 2002, **Federal Register** (67 FR 70397). Official services may be obtained by contacting Kansas at 785-233-7063.

**Authority:** Pub. L. 94-582, 90 Stat. 2867, as amended (7 U.S.C. 71 *et seq.*).

Dated: December 2, 2004.

**Donna Reifschneider,**

*Administrator, Grain Inspection, Packers and Stockyards Administration.*

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## DEPARTMENT OF AGRICULTURE

### Grain Inspection, Packers and Stockyards Administration

[04-TX-A]

#### Opportunity for Designation in South Texas

**AGENCY:** Grain Inspection, Packers and Stockyards Administration, USDA.

**ACTION:** Notice.

**SUMMARY:** Grain Inspection, Packers and Stockyards Administration (GIPSA) has received inquiries, and several letters from the grain industry in Texas indicating a need for designating an organization to provide official services in South Texas. GIPSA is asking persons interested in providing official services in unassigned areas of South Texas to submit an application for designation.

**DATES:** Applications and comments must be postmarked or electronically dated on or before January 7, 2005.

**ADDRESSES:** We invite you to submit applications and comments on this notice. You may submit applications and comments by any of the following methods:

- Hand Delivery or Courier: Deliver to Janet M. Hart, Chief, Review Branch, Compliance Division, GIPSA, USDA, Room 1647-S, 1400 Independence Avenue, SW., Washington, DC 20250.
- Fax: Send by facsimile transmission to (202) 690-2755, attention: Janet M. Hart.
- E-mail: Send via electronic mail to [Janet.M.Hart@usda.gov](mailto:Janet.M.Hart@usda.gov).
- Mail: Send hardcopy to Janet M. Hart, Chief, Review Branch, Compliance

Division, GIPSA, USDA, STOP 3604, 1400 Independence Avenue, SW., Washington, DC 20250-3604.

**Read Applications and Comments:** All applications and comments will be available for public inspection at the office above during regular business hours (7 CFR 1.27(b)).

**FOR FURTHER INFORMATION CONTACT:** Janet M. Hart at 202-720-8525, e-mail [Janet.M.Hart@usda.gov](mailto:Janet.M.Hart@usda.gov).

**SUPPLEMENTARY INFORMATION:** This Action has been reviewed and determined not to be a rule or regulation as defined in Executive Order 12866 and Departmental Regulation 1512-1; therefore, the Executive Order and Departmental Regulation do not apply to this Action.

Section 7(f)(1) of the United States Grain Standards Act, as amended (Act), authorizes GIPSA's Administrator to designate a qualified applicant to provide official services in a specified area after determining that the applicant is better able than any other applicant to provide such official services.

Section 7(g)(1) of the Act provides that designations of official agencies shall end not later than triennially and may be renewed according to the criteria and procedures prescribed in Section 7(f) of the Act.

GIPSA is asking for applicants to provide official services in South Texas. The South Texas area being considered for assignment to the applicant or applicants selected for designation, pursuant to Section (7)(2) of the Act, is as follows:

Bounded on the north by the northern Jack, Wise, Denton, Collin, Hunt, Delta, Franklin, Titus, Morris, and Marion County line east to the Texas State line;

Bounded on the east by the eastern Texas State line south to the southern Texas State line;

Bounded on the south by the southern Texas State line west to the western Val Verde County line;

Bounded on the west by the western Val Verde, Edwards, Kimble, Mason, San Saba, Mills, Comanche, Erath, Palo Pinto, and Jack County lines north to the northern Jack County line, excluding those export port locations served by GIPSA.

**Opportunity for designation.**

Interested persons are hereby given the opportunity to apply for designation to provide official services in the geographic areas specified above under the provisions of Section 7(f) of the Act and section 800.196(d) of the regulations issued thereunder. Designation in the specified geographic areas is for a period of no more than 3 years. Persons wishing to apply for