Notices

Federal Register
Vol. 76, No. 104
Tuesday, May 31, 2011

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[AMS–FV–11–0043; FV11–916/917–6]

Nectarines and Peaches Grown in California; Notice of Withdrawal

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Notice; withdrawal.

SUMMARY: The Agricultural Marketing Service (AMS) is withdrawing the notice soliciting comments on its request for approval to use new forms to collect information related to the Federal marketing orders for nectarines and peaches grown in California (orders). Continuance referenda were conducted among growers of California nectarines and peaches in January and February 2011. Fewer than two-thirds of participating growers, by number and production volume, voted in favor of continuing the nectarine and peach orders. USDA has suspended the quality, inspection, reporting, and assessment requirements under the orders (76 FR 21615), effective April 19, 2011. USDA intends to seek termination of the orders.

DATES: *Effective date:* May 31, 2011.

FOR FURTHER INFORMATION CONTACT: Andrew Hatch, Supervisory Marketing Specialist, Marketing Order Administration Branch, Fruit and Vegetable Programs, AMS, USDA, 1400 Independence Avenue, SW., STOP 0237, Room 1406–S, Washington, DC 20250–0237; Telephone: (202) 720–6862, Fax: (202) 720–8938, Email: *andrew.hatch@ams.usda.gov.*

Small businesses may request information on this notice by contacting Antoinette Carter, Marketing Order Administration Branch, Fruit and Vegetable Programs, AMS, USDA, 1400 Independence Avenue, SW., STOP 0237, Room 1406–S, Washington, DC 20250–0237; Telephone (202) 690–3919, Fax: (202) 720–8938, or Email: *antoinette.carter@ams.usda.gov.*

SUPPLEMENTARY INFORMATION: Marketing Order Nos. 916 and 917, both as amended (7 CFR Parts 916 and 917), regulate the handling of nectarines and peaches grown in California, and are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–604; "Act"). The Federal programs for nectarines and peaches are administered through a partnership between the U.S. Department of Agriculture (USDA) and the Reedley, CA-based California Tree Fruit Agreement (CTFA). The Nectarine Commodity Committee and the Peach Commodity Committee make up a part of the CTFA.

On February 25, 2011, a notice requesting comments on the use of five new forms to collect information was published in the **Federal Register** (76 FR 10555) with a comment period ending on April 26, 2011.

Continuance referenda were conducted among growers of California nectarines and peaches in January and February 2011. Fewer than two-thirds of participating growers, by number and production volume, voted in favor of continuing the nectarine and peach orders. USDA has suspended the quality, inspection, reporting, and assessment requirements under the orders (76 FR 21615), effective April 19, 2011. USDA intends to initiate termination of the orders.

Consequently, the forms that were proposed to be used are no longer needed. The Agency has decided not to proceed with the action. Therefore, the notice published on February 25, 2011 (76 FR 10555) is withdrawn.

Dated: May 24, 2011.

Rayne Pegg,

Administrator, Agricultural Marketing Service.

[FR Doc. 2011–13482 Filed 5–27–11; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF AGRICULTURE

Foreign Agricultural Service

WTO Agricultural Safeguard Trigger Levels

AGENCY: Foreign Agricultural Service, USDA.

ACTION: Notice.

SUMMARY: This notice lists the updated quantity trigger levels for products which may be subject to additional import duties under the safeguard provisions of the WTO Agreement on Agriculture. This notice also includes the relevant period applicable for the trigger levels on each of the listed products.

DATES: *Effective Date:* May 31, 2011.

FOR FURTHER INFORMATION CONTACT: Safeguard Staff, Import Policies and Export Reporting Division, Office of Trade Programs, Foreign Agricultural Service, U.S. Department of Agriculture, Stop 1021, 1400 Independence Avenue, SW., Washington, DC 20250–1021; or *by telephone at:* (202) 720–0638; or *by e-mail at: itspd@fas.usda.gov.*

SUPPLEMENTARY INFORMATION: Article 5 of the WTO Agreement on Agriculture provides that additional import duties may be imposed on imports of products subject to tariffication as a result of the Uruguay Round, if certain conditions are met. The agreement permits additional duties to be charged if the price of an individual shipment of imported products falls below the average price for similar goods imported during the years 1986–88 by a specified percentage. It also permits additional duties to be imposed if the volume of imports of an article exceeds the average of the most recent 3 years for which data are available by 5, 10, or 25 percent, depending on the article. These additional duties may not be imposed on quantities for which minimum or current access commitments were made during the Uruguay Round negotiations, and only one type of safeguard, price or quantity, may be applied at any given time to an article.

Section 405 of the Uruguay Round Agreements Act requires that the President cause to be published in the **Federal Register** information regarding the price and quantity safeguards, including the quantity trigger levels, which must be updated annually based upon import levels during the most recent 3 years. The President delegated this duty to the Secretary of Agriculture in Presidential Proclamation No. 6763, dated December 23, 1994, 60 FR 1005 (Jan. 4, 1995). The Secretary of Agriculture further delegated the duty to the Administrator of the Foreign Agricultural Service (7 CFR 2.43(a)(2) (2007)). The Annex to this notice