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DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 1280

[No. LS-94-015A]

Sheep and Wool Promotion, Research, Education, and Information: Certification and Nomination Procedures for the National Sheep Promotion, Research, and Information Board

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This final rule outlines the procedures for determining the eligibility of sheep producer organizations, sheep feeder organizations, and organizations of importers of sheep and sheep products to make nominations for appointment to the National Sheep Promotion, Research, and Information Board (Board), and also outlines the procedures for making such nominations to the Board as provided for in the Sheep Promotion, Research, and Information Act of 1994. The Board would administer an industry-funded promotion, research and information order authorized by the Act.

EFFECTIVE DATE: May 10, 1996.

FOR FURTHER INFORMATION CONTACT: Ralph L. Tapp, Chief, Marketing Programs Branch; Livestock and Seed Division; Agricultural Marketing Service (AMS), USDA, Room 2606-S; P.O. Box 96456; Washington, D.C. 20090-6456, telephone number 202/720-1115.

SUPPLEMENTARY INFORMATION: Prior document: Proposed Rule—Sheep and Wool Promotion, Research, Education, and Information Order (Order) published June 2, 1995, (60 FR 28747).

Regulatory Impact Analysis

Executive Orders 12866 and 12778 and the Regulatory Flexibility Act

This final rule has been determined to be not significant for purposes of Executive Order 12866 and therefore has not been reviewed by the Office of Management and Budget (OMB).

This final rule has been reviewed under Executive Order 12778, Civil Justice Reform. It is not intended to have a retroactive effect. This rule would not preempt any State or local laws, regulations, or policies unless they present an irreconcilable conflict with this rule.

The Act provides that any person subject to the 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 the law, and request a modification of the Order or an exemption from certain provisions or obligations of the Order. The petitioner will have the opportunity for a hearing on the petition. Thereafter the Secretary will issue a decision on the petition. The Act provides that the district court of the United States in any district in which the petitioner resides or carries on business has jurisdiction to review a ruling on the petition, if the petitioner files a complaint for that purpose not later than 20 days after the date of the entry of the Secretary's decision. The petitioner must exhaust his or her administrative remedies before he or she can initiate any such proceedings in the district court.

Pursuant to requirements set forth in the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*), AMS has considered the economic impact of this final action on small entities. This rule pertains only to (1) the procedures for establishing the eligibility of organizations to nominate sheep producers, sheep feeders and importers of sheep and sheep products for appointment to the Board; and (2) the procedures for submitting such nominations. AMS has determined that this action will not have a significant impact on a substantial number of small entities.

Paperwork Reduction Act

In accordance with the Paperwork Reduction Act of 1980 (44 U.S.C. Chapter 35), the information collection requirements contained herein were submitted to OMB for approval, and

were assigned OMB Number 0581-0093. This action sets forth the procedures for establishing the eligibility of organizations to nominate sheep producers, sheep feeders, and importers of sheep and sheep products to the initial Board, and the procedures for submitting such nominations. The information collection required by this action and necessary for implementation of these procedures includes the following:

(1) An application for certification of organization, to be completed by eligible organizations that request certification in order to be eligible to nominate producers, feeders, or importers to the Board. The estimated number of respondents is 70 (with each organization submitting one response), and the estimated average reporting burden is 0.5 hour per response;

(2) A nomination form by which certified organizations will nominate producers, feeders, or importers for membership on the Board. The estimated number of respondents is 60 for the first year of the Order and 20 each year thereafter. Each respondent would submit one response per year, and the estimated average reporting burden is 0.5 hour per response; and

(3) An advisory committee membership background information form, to be completed by candidates nominated by certified organizations for appointment to the Board. The estimated number of respondents is 240 during the first year of the Order and 80 each year thereafter. Each respondent would submit one response per year, and the estimated average reporting burden is 0.5 hour per response.

Background

The Act (7 U.S.C. 7101-7111) provides for the establishment of a coordinated program of promotion, research, education, consumer information, industry information, and producer information designed to strengthen the sheep industry's position in the marketplace, maintain and expand existing markets and develop new markets and uses for sheep and sheep products.

The program would be funded by a mandatory assessment on domestic producers, feeders, and exporters of live sheep and greasy wool of 1 cent per pound on live sheep sold and 2 cents per pound on greasy wool sold. Importers would be assessed 1 cent per

pound on live sheep, the equivalent of 1 cent per pound of live sheep for sheep products as well as 2 cents per pound of degreased wool or the equivalent of degreased wool for wool and wool products. Imported raw wool would be exempt from assessments. Each person who processes or causes to be processed sheep and sheep products of his or her own production, and who markets the processed products, would be assessed the equivalent of 1 cent per pound of live sheep sold or 2 cents per pound of greasy wool sold. All assessments may be adjusted in accordance with the applicable provisions of the Act.

The Board would be comprised of 85 sheep producers, 10 feeders and 25 importers. The duties and responsibilities of the Board would be specified in the Order.

The Act provides that the Secretary shall certify or otherwise determine the eligibility of producer, feeder and importer organizations to nominate members to the Board to ensure that nominees represent the interests of sheep producers, sheep feeders and importers of sheep and sheep products. The Act also provides that States that are represented by only 1 producer member may have an alternate producer member appointed to the Board to ensure representation at Board meetings. Certification procedures are set forth in this final rule. The certification of sheep producer organizations will be based on a factual report containing information required by the Act, including but not limited to (1) the geographic territory covered by the active membership of the organization; (2) the nature and size of the active membership of the organization, including the proportion of the total number of active producers represented by the organization; (3) evidence of stability and permanency of the organization; (4) sources from which the operating funds of the organization are derived; (5) the functions of the organization; and (6) the ability and willingness of the organization to further the aims and objectives of the Act. A primary consideration in determining eligibility shall be whether the membership of the organization consists primarily of producers who own a substantial quantity of sheep and an interest of the organization is in the production of sheep.

The certification of feeder and importer organizations will also be based on a factual report containing information required by the Act. The criteria for determining eligibility for certification are (1) that the organization's active membership includes a significant number of feeders

or importers in relation to the total membership of the organization; (2) that there is evidence of stability and permanency of the organization; and (3) that the organization has a primary and overriding interest in representing the feeder or importer segment of the sheep industry.

The Secretary will have the authority to require verification of any information submitted to determine the eligibility to nominate persons for membership on the Board.

Information obtained by the Secretary will be kept confidential, except that the Secretary can release general statements based upon data obtained from a number of organizations.

The proposed certification and nomination rule was published on June 2, 1995, in the Federal Register (60 FR 28747) as part of the proposed Sheep and Wool Promotion, Research, Education Information Order with a request for public comments to be submitted by July 17, 1995. The Department received four written comments concerning the proposed certification and nomination procedures from individual sheep producers and sheep feeders and an importer organization. The commenters generally supported the proposed rule with certain qualifications. One commenter specifically supported the certification and nomination process as published on June 2, 1995.

The substantive changes suggested by commenters are discussed below. Also, the Department has made other minor changes of a nonsubstantive nature for purposes of clarity and accuracy including clarification of § 1280.403 (a) and (b) by changing references to "State producer organizations" to read "sheep producer organizations." For the reader's convenience, the discussion is organized by topic heading of the final rule.

Section 1280.403 Certification of Eligibility

One commenter stated that the requirements for importer certification described in section 1280.403(c) in the proposed rule would not permit importer organizations to be certified, because most importer organizations do not include (1) * * * a significant number of importers in relation to the total membership of the organization * * * and (2) most organizations or associations, would not meet the requirement to have * * * a primary and overriding interest in representing the importer segment of the sheep industry because of the diverse nature of their membership. The commenter suggests that the requirements be

clarified to permit any organization to be certified as eligible to nominate importers to the Board if it shows that its membership includes importers of sheep or sheep products who have an interest in representing the importer segment of the sheep industry. The Act establishes the criteria for certifying organizations as eligible to nominate importers to the Board. The Department will follow that criteria in certifying organizations. If the Secretary does not certify any importer organization, this final rule permits the Secretary to use alternative means to obtain importer nominations for Board appointment. Accordingly, we have not adopted this suggestion.

One commenter suggested that section 1280.403(c)(1) in the proposed Order should be clarified to ensure that only sheep industry organizations that are made up predominantly of feeders can make feeder nominations. The Act provides the criteria for the Secretary to use in determining whether sheep feeder organizations are eligible to submit nominations for appointment to the Board. The Act requires that (1) the organization's active membership include a significant number of feeders in relation to the total membership of the organization; (2) there be evidence of stability and permanency of the organization; and (3) the organization have a primary and overriding interest in representing the feeder segment of the sheep industry. The Department believes that the commenter's suggestion would require an organization to have a higher concentration of feeders than the Act requires in order to qualify for certification and that this could reduce the opportunity for some feeder organizations to be certified. Accordingly, we have not adopted this suggestion.

Section 1280.409 Initial Board Membership.

One commenter suggested that the industry representatives on the Board be elected by the members of each industry segment rather than be appointed by the Secretary, because the Secretary is unfamiliar with the abilities of individuals in the various industries. The Act requires the Secretary to appoint the Board. Furthermore, the Department believes that the certification and nomination process would give the Secretary the opportunity to appoint members who best represent each industry segment because certified organizations comprised of members of those segments will submit nominations for appointment. The commenter also

suggested that the Board should be realigned based on the sheep numbers in and contributions made by each industry segment. The Act establishes the membership of the Board, which consists of 85 producers, 10 feeders and 25 importers. The Act does not authorize realignment of the Board to be based on sheep numbers or contributions made by each industry segment. Accordingly, we have not adopted these suggestions.

In summary, this final rule adopts provisions of the proposed rule with only minor changes made for purposes of clarity and accuracy.

Pursuant to 5 U.S.C. 553, it is also found and determined that good cause exists for not postponing the effective date of this action until 30 days after publication in the Federal Register because (1) the Act requires implementation of the Order if the Order is approved by sheep and wool industry; (2) the sheep and wool industry approved the Order in the February 6, 1996, referendum; (3) the Secretary must appoint the initial Board to administer the program. Because these rules implement the certification and nomination procedures for Board appointments, this final rule should become effective on the day following the date of publication to permit the Board to be appointed as quickly as possible. Accordingly, no useful purpose would be served in delaying the effective date. Additionally, these rules were published as part of a proposed rule in the June 2, 1995, Federal Register (60 FR 28747) and interested persons were afforded a 30 day comment period on the proposed certification and nomination procedures. This final rule is effective on the day following the date of publication in the Federal Register.

List of Subjects in 7 CFR Part 1280

Administrative practice and procedure, Advertising, Agricultural research, Marketing agreements, Sheep and sheep products, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR Part 1280 is amended as follows:

PART 1280—SHEEP PROMOTION, RESEARCH, AND INFORMATION

1. The authority citation for Part 1280 continues to read as follows:

Authority: 7 U.S.C. 7101–7111.

2. In Part 1280, Subpart C is added to read as follows:

Subpart C—Procedures for Certification of Organizations and Nominations of Sheep Producers, Sheep Feeders and Importers of Sheep and Sheep Products for Appointment to the National Sheep Promotion, Research, and Information Board

Sec.

- 1280.400 General.
- 1280.401 Definitions.
- 1280.402 Administration.
- 1280.403 Certification of eligibility.
- 1280.404 Application for certification.
- 1280.405 Review of certification.
- 1280.406 Notification of certification and the listing of certified organizations.
- 1280.407 Solicitation of nominations for appointment to the Board.
- 1280.408 Nominations of members for appointment to the Board.
- 1280.409 Initial Board membership.
- 1280.410 Length of appointment to the initial Board.
- 1280.411 Acceptance of appointment.
- 1280.412 Verification.
- 1280.413 Confidential treatment of information.
- 1280.414 Paperwork Reduction Act assigned number.

Subpart C—Procedures for Certification of Organizations and Nominations of Sheep Producers, Sheep Feeders, and Importers of Sheep and Sheep Products for Appointment to the National Sheep Promotion, Research, and Information Board

§ 1280.400 General.

The Secretary shall determine which organizations are certified as eligible to nominate sheep producers and producer alternates, sheep feeders, and importers of sheep and sheep products (excluding importers that import only raw wool), for appointment to the Board. The making and receiving of the nominations shall be conducted in accordance with this subpart and the Order.

§ 1280.401 Definitions.

As used in this subpart:

(a) The term *Act* means the Sheep Promotion, Research, and Information Act of 1994, 7 U.S.C. 7101–7111, Public Law 103–407, 108 Statute 4210, enacted October 22, 1994, and any amendments thereto.

(b) The term *Board* means the National Sheep Promotion, Research, and Information Board.

(c) The term *carbonized wool* means wool that has been immersed in a bath, usually of mineral acids or acid salts, that destroys vegetable matter in the wool, but does not affect the wool fibers.

(d) The term *Department* means the U.S. Department of Agriculture.

(e) The term *feeder* means any person who feeds lambs until the lambs reach slaughter weight.

(f) The term *importer* means any person who imports sheep or sheep products into the United States.

(g) The term *Livestock and Seed Division* means the Livestock and Seed Division of the Department's Agricultural Marketing Service.

(h) The term *National feeder organization* means any organization of feeders that has been certified by the Secretary pursuant to the Act and this part as being eligible to submit nominations for membership on the Board.

(i) The term *person* means any individual, group of individuals, partnership, corporation, association, cooperative, or any other legal entity.

(j) The term *producer* means any person, other than a feeder, who owns or acquires ownership of sheep.

(k) The term *raw wool* means greasy wool, pulled wool, degreased wool, or carbonized wool.

(l) The term *Secretary* means the Secretary of Agriculture of the United States or any officer or employee of the Department to whom authority has been delegated, or to whom authority may be delegated to act in the Secretary's stead.

(m) The term *sheep* means ovine animals of any age, including lambs.

(n) The term *sheep products* means products produced in whole or in part from sheep, including wool and products containing wool fiber.

(o) The term *State* means each of the 50 States.

(p) The term *unit* means each State, group of States or class designation that is represented on the Board.

(q) The term *United States* means the 50 States and the District of Columbia.

(r) The term *wool* means the fiber from the fleece of a sheep.

(s) The term *wool products* means products produced, in whole or in part, from wool and products containing wool fiber.

§ 1280.402 Administration.

The Livestock and Seed Division shall have the responsibility of administering the provisions of this subpart.

§ 1280.403 Certification of eligibility.

(a) *Sheep producer organizations. Requirements for certification.* The Secretary shall certify any sheep producer organization that the Secretary determines meets the criteria established under paragraphs (a) and (b) of this section to be eligible for certification to nominate producer members and alternate producer members to the Board. Certification for sheep producer organizations shall be based upon:

(1) The geographic territory covered by the active membership of the organization;

(2) The nature and size of the active membership of the organization, including the proportion of the total number of active producers represented by the organization;

(3) Evidence of stability and permanency of the organization;

(4) Sources from which the operating funds of the organization are derived;

(5) The functions of the organization; and

(6) The ability and willingness of the organization to further the aims and objectives of the Act.

(b) *Primary considerations.* A primary consideration in determining the eligibility of a producer organization under this paragraph shall be whether:

(1) The membership of the organization consists primarily of producers who own a substantial quantity of sheep; and

(2) An interest of the organization is in the production of sheep.

(c) *Feeder and importer organizations. Requirements for certification.* The Secretary shall certify any national feeder organization and qualified importer organization that the Secretary determines meets the following criteria as eligible to nominate feeders or importers to the Board:

(1) The organization's active membership includes a significant number of feeders or importers in relation to the total membership of the organization;

(2) There is evidence of stability and permanency of the organization; and

(3) The organization has a primary and overriding interest in representing the feeder or importer segment of the sheep industry.

(d) The Secretary may also consider additional information that the Secretary deems relevant and appropriate. The Secretary's determination as to eligibility shall be final.

§ 1280.404 Application for certification.

Any organization that meets the eligibility criteria for certification specified in § 1280.403 is entitled to apply to the Secretary for certification of eligibility to nominate sheep producers, sheep feeders, or importers of sheep and sheep products for appointment to the Board. The Secretary may require third-party verification of information submitted by organizations, in determining their eligibility. To apply, an organization must submit a completed "Application for Certification of Organization" form. Copies may be obtained from the

Livestock and Seed Division; AMS—USDA, Room 2606–S; P.O. Box 96456; Washington, D.C. 20090–6456. (Telephone: 202/720–1115)

§ 1280.405 Review of certification.

The Secretary may terminate or suspend certification or eligibility of any organization or association if it ceases to comply with the certification or eligibility criteria set forth in this subpart. The Secretary may require additional information in order to ascertain whether the organization may remain certified or eligible to make nominations, and may require third-party verification of information submitted by organizations in determining their eligibility to continue making nominations.

§ 1280.406 Notification of certification and the listing of certified organizations.

Organizations shall be notified in writing whether they are eligible to nominate sheep producers, feeders, or importers as members to the Board or not. A copy of the certification or eligibility determination shall be furnished to certified organizations. Copies shall also be available for inspection in the Livestock and Seed Division.

§ 1280.407 Solicitation of nominations for appointment to the Board.

In general, as soon as practicable after this subpart becomes operational, the Secretary shall solicit and obtain nominations for appointment to the initial Board from certified producer, feeder, and importer organizations.

(a) *Initially established board. (1) Producer and alternate nominations.* The Secretary shall solicit from organizations certified under § 1280.403 (a) and (b) nominations for each producer or alternate member seat on the initially established Board to which a unit is entitled. If no such organization exists, the Secretary shall solicit nominations for appointments in such manner as the Secretary determines appropriate.

(2) *Feeder and importer nominations.* The Secretary shall solicit, from organizations certified under § 1280.403(c), nominations for each feeder or importer member on the initially established Board to which a unit is entitled. If no such organization exists, the Secretary shall solicit nominations for appointment in such manner as the Secretary determines is appropriate.

(b) [Reserved]

§ 1280.408 Nomination of members for appointment to the Board.

(a) In general. All nominations to the Board shall be made in the following manner:

(1) *Producers.* The Secretary shall appoint sheep producer and alternate members to represent units as specified under § 1280.409 (a) and (b) of this subpart, from nominations submitted by organizations certified under § 1280.403. A certified organization may only submit nominations for producer representatives and alternates, if appropriate, from the membership of the organization for the unit in which the organization operates. To be represented on the Board, each certified organization must submit to the Secretary at least 1.5 nominations for each seat on the Board for which the unit is entitled to representation. If a unit is entitled to only one seat on the Board, the unit shall submit at least two nominations for the appointment. If a producer member and a producer alternate member are to be appointed to represent the unit, at least three nominations must be submitted for the two positions.

(2) *Feeders.* The Secretary shall appoint representatives of the feeder sheep industry to seats established under § 1280.409(c), from nominations submitted by qualified national organizations certified under § 1280.403 that represent the feeder sheep industry. To be represented on the Board, the industry shall provide at least 1.5 nominations for each appointment to the Board for which the feeder sheep industry is entitled to representation.

(3) *Importers.* The Secretary shall appoint importers to seats established under § 1280.409(d) from nominations submitted by qualified organizations certified under § 1280.403 that represent importers of sheep and sheep products. To be represented on the Board, the industry shall provide at least 1.5 nominations for each appointment to the Board for which importers are entitled to representation.

(4) After the establishment of the initial Board, the Department shall announce when a vacancy does or will exist. The Secretary will solicit nominations for subsequent appointments, and the Board will secure the nominations from certified producer organizations. Certified feeder and importer organizations shall submit the names of feeder and importer nominees directly to the Secretary. Nominations should be initiated not less than 6 months before the expiration of the terms of the members whose terms are expiring, in the manner described in this section. In the case of vacancies caused by the death, removal,

resignation, or disqualification of any member of the Board, the Secretary will appoint a successor from the most recent list of nominations for the position, from nominations submitted by the Board for producers or from certified feeder or importer organizations, for feeders and importers.

(5) Where there is more than one eligible organization that represents producers in a State or unit, or represents feeders, or importers, they may caucus and jointly nominate qualified persons for each position representing that State or unit on the Board for which a producer, feeder or importer member is to be appointed. If they cannot agree on any such nominations, or if no caucus is held, each eligible producer, feeder or importer organization may submit to the Secretary nominations for each seat on the Board for which the unit is entitled to representation. If a unit is entitled to only one seat on the Board, the unit shall submit at least two nominations for the appointment to represent that unit.

(6) Nominations should be submitted in order of preference and, for the initial Board, in order of preference for staggered terms. If the Secretary rejects any nominations submitted and there are insufficient nominations submitted from which appointments can be made, the Secretary may request additional nominations under paragraphs (a), (b), or (c) of this section.

(b) *Official nomination forms.* A "Nomination for Appointment to the National Sheep Promotion, Research, and Information Board" must be used to nominate producers, feeders, or importers for appointment to the Board. An "Advisory Committee Membership Background Information" form must be completed by each nominee listed on the "Nomination for Appointment to the National Sheep Promotion, Research, and Information Board" form and must be attached to that form. Official nomination forms and additional information on nominations are available from the Marketing Programs Branch; Livestock and Seed Division; AMS-USDA, Room 2606-S; P.O. Box 96456; Washington, D.C. 20090-6456 (Telephone: 202/720-1115).

(c) The Secretary may reject any nomination submitted under paragraph (a) of this section. If there are insufficient nominations from which to appoint members to the Board because the Secretary rejected the nominations submitted by a State or unit, the State or unit shall submit additional nominations, as provided in paragraph (a) of this section.

§ 1280.409 Initial Board membership.

(a) *Base membership.* The number of producer members appointed to the Board from each State or unit shall be allocated.

Alabama 1; Alaska 1; Arizona 1; Arkansas 1; California 5; Colorado 4; Connecticut 1; Delaware 1; Florida 1; Georgia 1; Hawaii 1; Idaho 2; Illinois 1; Indiana 1; Iowa 2; Kansas 1; Kentucky 1; Louisiana 1; Maine 1; Maryland 1; Massachusetts 1; Michigan 1; Minnesota 2; Mississippi 1; Missouri 1; Montana 5; Nebraska 1; Nevada 1; New Hampshire 1; New Jersey 1; New Mexico 2; New York 1; North Carolina 1; North Dakota 2; Ohio 1; Oklahoma 1; Oregon 2; Pennsylvania 1; Rhode Island 1; South Carolina 1; South Dakota 4; Tennessee 1; Texas 10; Utah 3; Vermont 1; Virginia 1; Washington 1; West Virginia 1; Wisconsin 1; and Wyoming 5.

(b) *Alternate members.* A unit represented by only one producer member may have an alternate producer member appointed to ensure representation at meetings of the Board.

(c) *Feeders.* The feeder sheep industry shall be represented by ten members.

(d) *Importers.* Importers shall be represented by 25 members.

§ 1280.410 Length of appointment to the initial Board.

When the Secretary appoints the members to the initial Board, the Secretary shall also specify the term of office for each member. To the extent practicable, one-third of the members shall serve for one year, one-third shall serve for two years, and one-third shall serve for three years. No person may serve more than two consecutive three year terms, except that elected officers shall not be subject to the term limitation while they hold office.

§ 1280.411 Acceptance of appointment.

Producers, feeders and importers nominated to the Board must confirm in writing their intention to serve if appointed, to disclose any relationship with any organization that operates a qualified State or regional program or has a contractual relationship with the Board and to withdraw from participation in deliberations, decision-making, or voting on matters that concern such disclosed relationships.

§ 1280.412 Verification.

The Secretary shall have the right to examine at any time the books, documents, papers, records, files, and facilities of nominating units as the Secretary deems necessary to verify the information submitted and to procure such other information as may be required to determine whether the unit

is eligible to nominate sheep producers, feeders, or importers for appointment to the Board.

§ 1280.413 Confidential treatment of information.

All documents submitted in accordance with this subpart shall be kept confidential by all employees of the Department. Nothing in this section shall be deemed to prohibit the disclosure of such information so furnished or acquired as the Secretary deems relevant and then only in the issuance of general statements based upon the reports of a number of persons subject to the Order or statistical data collected therefrom, when such a statement or data does not identify the information furnished by any one person.

§ 1280.414 Paperwork Reduction Act assigned number.

The control number assigned to the information collection requirements in part 1280 by OMB pursuant to the Paperwork Reduction Act of 1980 is OMB 0581-0093.

Dated: May 2, 1996.

Lon Hatamiya,
Administrator.

[FR Doc. 96-11532 Filed 5-8-96; 8:45 am]

BILLING CODE 3410-02-P

7 CFR Part 1280

[No. LS-95-010]

Sheep Promotion Research, and Information Program: Rules and Regulations

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This final rule implements provisions of a Sheep and Wool Promotion, Research, Education, and Information Order (Order), which will establish a national, industry-funded sheep and wool promotion, research, and information program. This final rule establishes the collection and remittance process, puts into effect the reporting requirements, identifies and establishes the Harmonized Tariff Schedule (HTS) classification numbers, conversion factors, and assessment rates for imported sheep, sheep meat, wool, and wool products subject to assessment, establishes procedures for calculating, collecting, and remitting assessments on imported sheep, sheep meat, wool, and wool products and establishes the basis for excluding certain imported sheep and sheep products from assessment. Because the