

container specified in § 911.329 unless such container is marked with a Federal-State Inspection Service lot stamp number showing that the limes have been inspected in accordance with regulations issued under § 911.48 of the marketing order: Provided, That when inspection occurs after palletization, only all exposed or outside containers of limes must be plainly marked with the lot stamp number corresponding to the lot inspection conducted by an authorized inspector.

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PART 915—AVOCADOS GROWN IN SOUTH FLORIDA

3. In § 915.306, paragraph (a)(4) is revised to read as follows:

§ 915.306 Florida avocado grade, pack, and container marking regulation.

(a) * * *

(4) Such avocados are in containers marked with a Federal-State Inspection Service lot stamp number, when handled in containers authorized under § 915.305: Provided, That when inspection occurs after palletization, only all exposed or outside containers of avocados must be plainly marked with the lot stamp number corresponding to the lot inspection conducted by an authorized inspector.

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Dated: June 13, 1996.

Sharon Bomer Lauritsen,
Acting Director, Fruit and Vegetable Division.
[FR Doc. 96-15627 Filed 6-18-96; 8:45 am]

BILLING CODE 3410-02-P

7 CFR Parts 916 and 917

[Docket No. FV95-916-4C]

Nectarines and Peaches Grown in California; Revision of Handling Requirements for Fresh Nectarines and Peaches

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Interim final rule; correction.

SUMMARY: This document contains a correction to the interim final rule published on March 27, 1996, concerning nectarines and peaches grown in California.

EFFECTIVE DATE: April 1, 1996.

FOR FURTHER INFORMATION CONTACT: Kenneth Johnson, Marketing Specialist, Marketing Order Administration Branch, Fruit and Vegetable Division, AMS, USDA, P.O. Box 96456, Room 2523-S, Washington, DC 20090-6456; telephone: (202) 720-2861; or Terry Vawter, Marketing Specialist, California

Marketing Field Office, Marketing Order Administration Branch, Fruit and Vegetable Division, AMS, USDA, 2202 Monterey Street, Suite 102B, Fresno, California, 93721; telephone: (209) 487-5901.

SUPPLEMENTARY INFORMATION:

Background

This rule revises handling requirements for California nectarines and peaches under Marketing Orders 916 and 917 for the 1996 season. This interim final rule enables handlers to continue shipping fresh nectarines and peaches meeting consumer needs in the interest of producers, handlers, and consumers of these fruits.

Need for Correction

In the interim final rule, FR Doc. 96-7438, published March 27, 1996, the Royal Glo nectarine variety was inadvertently placed under the incorrect minimum size requirement and is in need of correction.

Correction of Publication

Accordingly, in FR Doc. 96-7438, page 13392, first column, the words "Royal Glo", are removed from § 916.356(a)(6) and added to § 916.356(a)(4) immediately following the words "Rose Diamond."

Dated: June 12, 1996.

Robert C. Keeney,
Director, Fruit and Vegetable Division.
[FR Doc. 96-15519 Filed 6-18-96; 8:45 am]
BILLING CODE 3410-02-M

7 CFR Part 946

[FV96-946-1FR]

Irish Potatoes Grown in Washington; Modification of the Minimum Size Requirements

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This final rule reduces the minimum diameter requirement from 2-1/8 inches to 2 inches for Russet type varieties of Washington potatoes shipped during the July 15 through August 31 period each season. Potato varieties currently being grown for shipment during this period are similar in shape to those grown for marketing during the balance of the season. Reducing the minimum diameter recognizes this similarity and enables handlers to market a larger portion of the crop in fresh outlets. This change should improve the marketing of Washington potatoes and increase

returns to producers as well as provide consumers with increased supplies of potatoes.

EFFECTIVE DATE: July 15, 1996.

FOR FURTHER INFORMATION CONTACT:

Dennis L. West, Northwest Marketing Field Office, Marketing Order Administration Branch, Fruit and Vegetable Division, AMS, USDA, 1220 SW Third Avenue, room 369, Portland, Oregon 97204-2807; telephone: (503) 326-2724 or FAX (503) 326-7440; or Robert F. Matthews, Marketing Order Administration Branch, Fruit and Vegetable Division, AMS, USDA, P.O. Box 96456, room 2523-S, Washington, D.C. 20090-6456; telephone: (202) 690-0464 or FAX (202) 720-5698.

SUPPLEMENTARY INFORMATION: This final rule is issued under Marketing Agreement No. 113 and Marketing Order No. 946 (7 CFR part 946), both as amended, regulating the handling of Irish potatoes grown in Washington, hereinafter referred to as the "order." The order is authorized by the Agricultural Marketing Agreement Act of 1937, as amended, (7 U.S.C. 601-674), hereinafter referred to as the "Act." The State of Washington Potato Committee (Committee) is the agency responsible for local administration of the marketing order program in the designated production area.

The Department of Agriculture (Department) is issuing this rule in conformance with Executive Order 12866.

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

The Act provides that administrative proceedings must be exhausted before parties may file suit in court. Under section 608c(15)(A) of the Act, any handler subject to an 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 law and request a modification of the order or to be exempted therefrom. A handler is afforded the opportunity for a hearing on the petition. After the hearing the Secretary will rule on the petition. The Act provides that the district court of the United States in any district in which the handler is an inhabitant, or has his or her principal place of business, has jurisdiction to review the Secretary's ruling on the petition, provided an action is filed not