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DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

7 CFR Parts 319 and 354

[Docket No. 98-087-3]

RIN 0579-AB01

Solid Wood Packing Material From China

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Interim rule; clarification of effective date.

SUMMARY: This document clarifies the effective date of an interim rule published in the **Federal Register** on September 18, 1998. In the interim rule, we amended the regulations for importing logs, lumber, and other unmanufactured wood articles by adding treatment and documentation requirements for solid wood packing material imported from China. That rule is scheduled to take effect on December 17, 1998. We are clarifying that the requirements of the rule apply to shipments that depart China for the United States on or after December 17, 1998, but do not apply to shipments that depart China prior to that date, even if such shipments arrive in the United States after December 17, 1998.

DATES: The interim rule published at 63 FR 50100 remains effective December 17, 1998.

FOR FURTHER INFORMATION CONTACT: Mr. Ronald Campbell, Import Specialist, Phytosanitary Issues Management Team, PPQ, APHIS, 4700 River Road Unit 140, Riverdale, MD 20737-1236, (301) 734-6799.

SUPPLEMENTARY INFORMATION:

Background

The Animal and Plant Health Inspection Service (APHIS) imposes

requirements on the importation of logs, lumber, and other unmanufactured wood articles to prevent the introduction into the United States of dangerous plant pests, including forest pests.

On September 18, 1998, we published in the **Federal Register** (63 FR 50100-50111, Docket No. 98-087-1) an interim rule that amends the regulations by imposing certain requirements on imported solid wood packing material (SWPM) from China, in order to prevent the introduction and establishment of the Asian longhorned beetle and other dangerous plant pests associated with SWPM from China. Under that rule (referred to below as the interim rule), if a commercial shipment from China contains SWPM, then prior to departure from China the SWPM must be heat treated, fumigated, or treated with preservatives, and must be accompanied by a certificate signed by an official of a Chinese government agency that documents the treatment of the SWPM. Commercial shipments from China that do not contain any SWPM must include an exporter statement on or attached to the commercial invoice and as an attachment to the bill of lading stating that the shipment contains no SWPM.

Since the publication date of the interim rule, APHIS has received inquiries concerning the status of shipments from China to the United States that depart China prior to the effective date of the interim rule, but arrive in the United States after the effective date of the interim rule.

The interim rule requires certain actions to occur prior to the departure of shipments from China, i.e., treatment of SWPM, issuance of certificates to accompany the SWPM, and preparation of exporter statements to accompany shipments that do not contain any SWPM. It was not our intention to impose any requirements on shipments that depart China prior to the effective date of the interim rule. Importers, exporters, national governments, and others will need until December 17, 1998, to prepare for the significant changes in operations that will become necessary. Therefore, any shipment that departs China prior to December 17, 1998, is not subject to the requirements of the interim rule. However, we wish to be very clear that a shipment will be subject to the interim rule if it departs one port in China prior to December 17,

but subsequently enters and then departs after December 17 another port in China prior to its arrival in the United States. For example, a shipment that departs Shanghai on December 16 for Hong Kong, where the cargo remains on the vessel, is warehoused, or is moved to another vessel, and then departs for the United States on December 20, would be subject to the requirements of the interim rule.

In other words, for commercial shipments moved from China to the United States, it is the date of last departure from China that determines whether the shipment is subject to the requirements of the interim rule. If that date is on or after the effective date of the interim rule (December 17, 1998), then the shipment is subject to the requirements of the interim rule.

Authority: 7 U.S.C. 150dd, 150ee, 150ff, 151-167, 450, 2260, 2803, and 2809; 21 U.S.C. 136 and 136a; 49 U.S.C. 1741; 7 CFR 2.22, 2.80, and 371.2(c).

Done in Washington, DC, this 21st day of October 1998.

Joan M. Arnoldi,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 98-28603 Filed 10-21-98; 1:29 pm]

BILLING CODE 3410-34-P

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 989

[FV99-989-1 IFR]

Raisins Produced From Grapes Grown In California; Relaxations to Substandard and Maturity Dockage Systems

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Interim final rule with request for comments.

SUMMARY: This rule relaxes the substandard and maturity dockage systems for raisins covered under the Federal marketing order for California raisins (order). The order regulates the handling of raisins produced from grapes grown in California and is administered locally by the Raisin Administrative Committee (Committee). Under the order, handlers may acquire raisins from producers under a weight dockage system and adjust the

creditable fruit weight acquired according to the percentage of substandard raisins in a lot, or percentage of raisins that fall below certain levels of maturity. Certain marketing order obligations and producer payments are based on the creditable weight of raisins acquired by handlers. Because of unusual crop conditions this year created by the weather phenomenon known as El Nino, the industry predicts that a relatively high percentage of the 1998-99 crop will fall outside the limits of the substandard and maturity dockage systems. Relaxing the limits for the 1998 crop will reduce the number of lots of raisins returned by handlers to producers or reconditioned by handlers at the producers' expense. This will minimize producers' reconditioning costs and facilitate 1998 crop deliveries.

DATES: Effective on October 24, 1998. Comments which are received by December 22, 1998, will be considered prior to issuance of any final rule.

ADDRESSES: Interested persons are invited to submit written comments concerning this rule. Comments must be sent to the Docket Clerk, Fruit and Vegetable Programs, AMS, USDA, room 2525-S, P.O. Box 96456, Washington, DC 20090-6456; Fax: (202) 205-6632; or E-mail: moabdocket-clerk@usda.gov. All comments should reference the docket number and the date and page number of this issue of the **Federal Register** and will be made available for public inspection in the Office of the Docket Clerk during regular business hours.

FOR FURTHER INFORMATION CONTACT: Maureen T. Pello, Marketing Specialist, California Marketing Field Office, Fruit and Vegetable Programs, AMS, USDA, 2202 Monterey Street, suite 102B, Fresno, California 93721; telephone: (209) 487-5901, Fax: (209) 487-5906; or George Kelhart, Technical Advisor, Marketing Order Administration Branch, Fruit and Vegetable Programs, AMS, USDA, room 2525-S, P.O. Box 96456, Washington, DC 20090-6456; telephone: (202) 720-2491, or Fax: (202) 205-6632. Small businesses may request information on complying with this regulation, or obtain a guide on complying with fruit, vegetable, and specialty crop marketing agreements and orders by contacting Jay Guerber, Marketing Order Administration Branch, Fruit and Vegetable Programs, AMS, USDA, P.O. Box 96456, room 2525-S, Washington, DC 20090-6456; telephone (202) 720-2491, Fax: (202) 205-6632, or E-mail: Jay___N___Guerber@usda.gov. You may view the marketing agreement and

order small business compliance guide at the following web site: <http://www.ams.usda.gov/fv/moab.html>.

SUPPLEMENTARY INFORMATION: This rule is issued under Marketing Agreement and Order No. 989 (7 CFR part 989), both as amended, regulating the handling of raisins produced from grapes grown in California, hereinafter referred to as the "order." The order is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), hereinafter referred to as the "Act."

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

This rule has been reviewed under Executive Order 12988, Civil Justice Reform. This rule is not intended to have retroactive effect. This 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 would 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 in equity to review the Secretary's ruling on the petition, provided an action is filed not later than 20 days after the date of the entry of the ruling.

This rule relaxes the substandard and maturity dockage systems for raisins covered under the order. Under the order, handlers may acquire raisins from producers under a weight dockage system and adjust the creditable fruit weight acquired according to the percentage of substandard raisins in a lot, or percentage of raisins that fall below certain levels of maturity. Some marketing order obligations (assessments and volume control) and producer payments are based on the creditable weight of raisins acquired by handlers. Because of unusual crop conditions this year created by the weather phenomenon known as El Nino, the industry predicts that a relatively high percentage of the 1998-

99 crop will fall outside the limits of the substandard and maturity dockage systems. Relaxing the limits for the 1998 crop will reduce the number of lots of raisins returned by handlers to producers or reconditioned by handlers at the producers' expense. This will minimize producers' reconditioning costs and facilitate 1998 crop deliveries. This rule was unanimously recommended by the Committee at a meeting on October 8, 1998.

Section 989.58(a) of the order provides authority for quality control regulations whereby natural condition raisins that are delivered from producers to handlers must meet certain incoming quality requirements. This section also contains authority for handlers to acquire natural condition raisins which fall outside the tolerance established for maturity, which includes substandard raisins, under a weight dockage system. Handler acquisitions of raisins and payments to producers are adjusted according to the percentage of substandard raisins in a lot, or percentage of raisins that fall below certain levels of maturity.

Tolerances for Substandard Raisins

Section 989.701 of the order's regulations specifies incoming quality requirements for natural condition raisins. Lots of raisins may contain a maximum percentage, depending on varietal type, of substandard raisins (raisins that show development less than that characteristic of raisins prepared from fairly well-matured grapes). Specifically, lots of Natural (sun-dried) Seedless, Golden Seedless, Dipped Seedless, Oleate and Related Seedless, Monukka, and Other Seedless raisin may contain no more than 5 percent, by weight, of substandard raisins. Lots of Muscat, Sultana, and Zante Currant raisins may contain no more than 12 percent, by weight, of substandard raisins.

Dockage System for Substandard Raisins

Section 989.212 provides that handlers may acquire, under an agreement with a producer, raisins that fall outside the tolerance for substandard raisins specified in § 989.701. Specifically, handlers may acquire any lot of Natural (sun-dried) Seedless, Golden Seedless, Dipped Seedless, Oleate and Related Seedless, Monukka, and Other Seedless raisins which contain from 5.1 through 17.0 percent, by weight, of substandard raisins under a weight dockage system. A handler may also acquire, subject to prior agreement, any lot of Muscat (including other raisins with seeds),

Sultana, and Zante Currant raisins containing from 12.1 through 20.0 percent, by weight, of substandard raisins under a weight dockage system. The creditable weight of each lot of raisins acquired by handlers under the substandard dockage system is obtained by multiplying the applicable net weight of the lot of raisins by the applicable dockage factor in the tables in § 989.212. The dockage factor reduces the weight of the raisin lot by an amount approximating the weight of the raisins needed to be removed in order for the remainder of the lot to meet minimum grade requirements after processing and packing. The weight determined in this manner represents the creditable weight of the raisins which is used as a basis for applicable marketing order obligations and handler payments to producers. Those raisins failing to meet the established substandard tolerance levels (17.0 or 20.0 percent, depending on varietal type) are returned to the producer or reconditioned by the handler (at the producer's expense) to bring the lot up to acceptable quality standards.

Adverse crop conditions this season created by the weather phenomenon known as El Nino affected the quality of the grapes used to make raisins by not allowing the grapes to properly mature. Temperatures in the production area stayed below average until about mid-June. In addition, due to the lateness of the 1998 crop (at least 3 to 4 weeks), producers had difficulty finding sufficient labor to harvest the crop. Raisin deliveries from producers to handlers have been about 3–4 weeks later than in most crop years. The Committee predicts that a relatively high percentage of the 1998–99 crop will not meet the upper limit (17.0 or 20.0 percent, depending on varietal type) for the amount of substandard raisins permitted in incoming lots of raisins.

Thus, the Committee recommended that the allowable amount of substandard fruit in producer deliveries that can be acquired under the dockage system be increased, for the 1998–99 crop year only, from 17.0 to 25.0 percent for Natural (sun-dried) Seedless, Golden Seedless, Dipped Seedless, Oleate and Related Seedless, Monukka, and Other Seedless raisins. Likewise, the Committee recommended increasing the substandard dockage limit, for the 1998–99 crop year only, from 20.0 to 35.0 percent for Muscat (including other raisins with seeds), Sultana, and Zante Currant raisins. Lots containing more than 25.0 or 35.0 percent, depending on varietal type, of substandard raisins will be considered off-grade and require

reconditioning before they can be acquired by handlers. Appropriate changes incorporating these recommendations are made to § 989.212 and apply for the 1998–99 crop year only.

Increasing the upper limit allowed for substandard raisins will reduce the number of lots of raisins returned by handlers to producers or reconditioned by handlers at the producers' expense. Handlers will be able to acquire more lots of raisins upon first inspection without experiencing further delay while waiting for failing lots to be reconditioned. The ability to acquire more raisins upon first inspection will help handlers better meet early season market needs.

Tolerance for Maturity

Section 989.701 of the order's regulations specifies that lots of certain varietal types of natural condition raisins must contain a minimum percentage of raisins that are well-matured or reasonably well-matured. Specifically, lots of Natural (sun-dried) Seedless, Golden Seedless, Dipped Seedless, Oleate and Related Seedless, Monukka, and Other Seedless raisins must contain at least 50 percent, by weight, of raisins that are well-matured or reasonably well-matured, or what is commonly referred to by the industry as the "B or better" maturity standard.

Dockage System for Maturity

Section 989.213 provides that handlers may acquire, under an agreement with a producer, raisins falling outside the tolerance for maturity specified in § 989.701. Specifically, handlers may acquire any lot of Natural (sun-dried) Seedless, Golden Seedless, Dipped Seedless, Oleate and Related Seedless, Monukka, and Other Seedless raisins which contain from 35.0 to 49.9 percent, by weight, of well-matured or reasonably well-matured raisins under a weight dockage system. The dockage system is applied similarly to the substandard dockage system previously described. The creditable weight of each lot of raisins acquired by handlers under the maturity dockage system is obtained by multiplying the applicable net weight of the lot of raisins by the applicable dockage factor in the tables in § 989.213. The dockage factor reduces the weight of the raisins needed to be removed in order for the remainder of the lot to meet minimum maturity requirements after processing and packing. The weight determined in this manner represents the creditable weight of the raisins which is used as a basis for applicable marketing order obligations and handler payments to

producers. Those raisins failing to meet the maturity tolerance level of 35.0 percent are returned to the producer or reconditioned by the handler (at the producer's expense) to bring the lot up to acceptable quality standards. If a lot of raisins is subject to both a maturity and substandard dockage factor, only the highest of the two dockage factors is applied.

In addition, the maturity dockage system is divided into three categories depending on the percentage of well-matured or reasonably well-matured raisins in a lot. The creditable fruit weight of raisins delivered by producers to handlers in the first category, which includes lots containing between 45.0 to 49.9 percent well-matured or reasonably well-matured raisins, is reduced .05 percent for each 0.1 percent the lot is below 50.0 percent down to 45.0 percent. The creditable fruit weight of raisins delivered by producers to handlers in the second category, which includes lots containing between 40.0 to 44.9 percent well-matured or reasonably well-matured raisins, is reduced 0.1 percent for each 0.1 percent the lot is below 44.9 percent down to 40.0 percent. The creditable fruit weight of raisins delivered by producers to handlers in the third category, which includes lots containing between 35.0 to 39.9 percent well-matured or reasonably well-matured raisins, is reduced 0.15 percent for each 0.1 percent the lot is below 39.9 percent down to 35.0 percent. Applicable marketing order obligations and producer payments are reduced accordingly.

Because of the unusual crop conditions this season created by El Nino, the Committee predicts that a relatively high percentage of the 1998–99 crop will fall below the 35.0 percent tolerance level for maturity. Thus, the Committee recommended that the minimum allowable level for maturity in lots of raisins delivered by producers that can be acquired under the dockage system be reduced, for the 1998–99 crop year only, from 35.0 to 30.0 percent.

The Committee also recommended that the creditable fruit weight of raisin deliveries in this fourth category created for the 1998–99 crop year, or lots containing between 30.0 to 34.9 percent well-matured or reasonably well-matured raisins, be reduced 0.2 percent for each 0.1 percent the lot is below 34.9 percent down to 30.0 percent. Applicable marketing order obligations and producer payments will be reduced accordingly. Lots containing 29.9 percent or less raisins which are well-matured or reasonably well-matured raisins will be considered off-grade and require reconditioning before they can

be acquired by handlers. A new paragraph (e) is added to § 989.213 for this fourth category and applies only to the 1998–99 crop year.

Similar to relaxing the substandard dockage system, reducing the minimum allowable level for maturity for the 1998–99 crop year will reduce the number of lots of raisins returned by handlers to producers or reconditioned by handlers at the producers' expense. Handlers will be able to acquire more lots of raisins upon first inspection without experiencing further delay while waiting for failing lots to be reconditioned and reinspected. The ability to acquire more raisins upon first inspection will help handlers better meet early season market needs.

Initial Regulatory Flexibility Analysis

Pursuant to requirements set forth in the Regulatory Flexibility Act (RFA), the Agricultural Marketing Service (AMS) has considered the economic impact of this action on small entities.

Accordingly, AMS has prepared this initial regulatory flexibility analysis.

The purpose of the RFA is to fit regulatory actions to the scale of business subject to such actions in order that small businesses will not be unduly or disproportionately burdened.

Marketing orders issued pursuant to the Act, and rules issued thereunder, are unique in that they are brought about through group action of essentially small entities acting on their own behalf. Thus, both statutes have small entity orientation and compatibility.

There are approximately 20 handlers of California raisins who are subject to regulation under the order and approximately 4,500 raisin producers in the regulated area. Small agricultural service firms have been defined by the Small Business Administration (13 CFR 121.601) as those having annual receipts of less than \$5,000,000, and small agricultural producers are defined as those having annual receipts of less than \$500,000. No more than 7 handlers, and a majority of producers, of California raisins may be classified as small entities. Thirteen of the 20 handlers subject to regulation have annual sales estimated to be at least \$5,000,000, and the remaining 7 handlers have sales less than \$5,000,000, excluding receipts from any other sources.

This rule relaxes the substandard and maturity dockage systems specified in §§ 989.212 and 989.213, respectively, of the order's regulations. These sections allow handlers to acquire raisins from producers under a weight dockage system and adjust their payments and marketing order obligations according to the percentage of substandard raisins in

a lot, or percentage of raisins falling below certain levels of maturity. Because of unusual crop conditions this year created by El Nino, the industry predicts that a relatively high percentage of the 1998 crop will fall outside the limits of the dockage systems. Relaxing the limits will reduce the number of lots of raisins returned by handlers to producer or reconditioned by handlers at the producers' expense.

Relaxing the dockage limits for the 1998–99 crop year will allow handlers to acquire more lots of raisins that fall outside specified tolerances for substandard raisins and maturity. Thus, fewer lots will be returned to producers for reconditioning. Transportation costs for hauling raisins to and from the handler's premises (estimated at \$5.00 per ton one way) for reconditioning and re-inspection will be eliminated.

Producers will also save on reconditioning costs. Producer costs for reconditioning substandard raisins (a "dry" vacuuming process) are estimated at \$20.00 per ton. Producer costs for reconditioning raisins falling below certain maturity levels (usually a "wash and dry" process) are estimated at \$140.00 per ton. Producers will also save on re-inspection costs at \$8.50 per ton because more of their raisins will meet the relaxed incoming substandard and maturity requirements upon first inspection. In summary, producers whose lots of raisins fall into the extended dockage limits for substandard raisins will not have to incur \$38.50 per ton in costs for hauling, "dry" reconditioning, and re-inspection. Producers whose lots fall into the revised dockage limits for maturity will not have to incur \$158.00 per ton in costs for hauling, "wet" reconditioning, and re-inspection.

Relaxing the dockage limits may cause handlers to incur some additional costs because, while the incoming quality requirements are relaxed, outgoing quality requirements will remain unchanged. Thus, the burden of removing substandard raisins or raisins falling below certain levels of maturity will be shifted from producers to handlers. Although handlers will have this additional burden, handlers can more efficiently and economically manage the situation because they already have the processing equipment designed to remove the undesirable fruit.

The Committee considered some alternatives to the recommended action. The Committee has an appointed subcommittee which periodically holds public meetings to discuss changes to the order and other issues. The subcommittee met on October 6, 1998.

There was some deliberation at the subcommittee meeting about revising the order's tolerances for mold for the 1998–99 crop year. However, the majority of subcommittee members did not support any change to the mold tolerances at this time.

Another alternative discussed at the subcommittee and Committee meetings was to reduce the maturity dockage limit from 35.0 to 30.0 percent, as recommended, but revise the dockage factor by 0.15 percent rather than the higher increment of 0.20 percent as recommended by the Committee. However, some handlers believe that the higher incremental dockage is necessary to accommodate a handler's ability to meet the minimum outgoing quality requirements for maturity. Thus, the Committee unanimously recommended that the higher increment of 0.20 percent was appropriate.

This rule will not impose any additional reporting or recordkeeping requirements on either small or large raisin handlers. As with all Federal marketing order programs, reports and forms are periodically reviewed to reduce information requirements and duplication by industry and public sector agencies. Finally, the Department has not identified any relevant Federal rules that duplicate, overlap or conflict with this rule.

In addition, the Committee's subcommittee meeting on October 6, 1998, and the Committee meeting on October 8, 1998, where this action was deliberated were public meetings widely publicized throughout the raisin industry. All interested persons were invited to attend the meetings and participate in the industry's deliberations. Finally, all interested persons are invited to submit information on the regulatory and informational impacts of this action on small businesses.

After consideration of all relevant material presented, including the Committee's recommendation, and other information, it is found that this interim final rule, as hereinafter set forth, will tend to effectuate the declared policy of the Act.

This rule invites comments on relaxing the substandard and maturity dockage systems currently specified under the California raisin order. Any comments received will be considered prior to finalization of this rule.

Pursuant to 5 U.S.C. 553, it is also found and determined upon good cause that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice prior to putting this rule into effect and that good cause exists for not postponing the effective

date of this rule until 30 days after publication in the **Federal Register** because: (1) The 1998-99 crop year began on August 1, 1998, and this rule should be effective as soon as possible because producers are already delivering 1998-99 crop raisins to handlers; (2) handlers are incurring costs for storing raisins that are tagged as off-grade because they fail to meet the current dockage system limits but would meet the relaxed dockage limits; (3) handlers are in need of raisins to meet their seasonal market needs; (4) this action relaxes requirements currently in effect; (5) producers and handlers are aware of this action which was unanimously recommended by the Committee at a public meeting and need no preparation time to comply; and (6) this rule provides a 60-day comment period and any comments received will be considered prior to finalization of this rule.

List of Subjects in 7 CFR Part 989

Grapes, Marketing agreements, Raisins, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR part 989 is amended as follows:

PART 989—RAISINS PRODUCED FROM GRAPES GROWN IN CALIFORNIA

1. The authority citation for 7 CFR part 989 continues to read as follows:

Authority: 7 U.S.C. 601-674.

2. In § 989.212, paragraph (a) and the notes following paragraphs (b) and (c) are revised to read as follows:

§ 989.212 Substandard dockage.

(a) General. Subject to prior agreement between handler and tenderer, Natural (sun-dried) Seedless, Golden Seedless, Dipped Seedless, Oleate and Related Seedless, Monukka, and Other Seedless raisins containing from 5.1 through 17.0 percent, by weight, of substandard raisins may be acquired by a handler under a weight dockage system: Provided, That, for the 1998-99 crop year, such raisins containing from 5.1 through 25.0 percent, by weight, of substandard raisins may be acquired by a handler under a weight dockage system. A handler may also, subject to prior agreement, acquire as standard raisins any lot of Muscat (including other raisins with seeds), Sultana, and Zante Currant raisins containing from 12.1 through 20.0 percent, by weight, of substandard raisins under a weight dockage system: Provided, That, for the 1998-99 crop year, a handler may acquire such raisins containing from 12.1 through 35.0 percent, by weight, of

substandard raisins under a weight dockage system. The creditable weight of each lot of raisins acquired under the substandard dockage system shall be obtained by multiplying the net weight of the lot of raisins by the applicable dockage factor from the appropriate dockage table prescribed in paragraph (b) or (c) of this section.

(b) * * *

Note to paragraph (b): Percentages in excess of the last percentage shown in the table shall be expressed in the same increments as the foregoing, and the dockage factor for each such increment shall be .001 less than the dockage factor for the preceding increment. Deliveries in excess of 17.0 percent would be off-grade; therefore, the dockage factor does not apply: Provided, That, for the 1998-99 crop year, deliveries in excess of 25.0 percent would be off-grade; therefore, the dockage factor does not apply.

(c) * * *

Note to paragraph (c): Percentages in excess of the last percentage shown in the table shall be expressed in the same increments as the foregoing, and the dockage factor for each such increment shall be .001 less than the dockage factor for the preceding increment. Deliveries in excess of 20.0 percent would be off-grade; therefore, the dockage factor does not apply: Provided, That, for the 1998-99 crop year, deliveries in excess of 35.0 percent would be off-grade; therefore, the dockage factor does not apply.

3. Section 989.213 is amended by revising paragraph (a) and the note following the table in paragraph (d), and adding a new paragraph (e) to read as follows:

§ 989.213 Maturity dockage.

(a) General. Subject to prior agreement between handler and tenderer, Natural (sun-dried) Seedless, Golden Seedless, Dipped Seedless, Oleate and Related Seedless, Monukka, and Other Seedless raisins containing from 35.0 percent through 49.9 percent, by weight, of well-matured or reasonably well-matured raisins may be acquired by a handler under a weight dockage system: Provided, That, for the 1998-99 crop year, such raisins containing from 30.0 through 49.9 percent, by weight, of well-matured or reasonably well-matured raisins may be acquired by a handler under a weight dockage system. The creditable weight of each lot of raisins acquired under the maturity dockage system shall be obtained by multiplying the net weight of the lot of raisins by the applicable dockage factor from the dockage table prescribed in paragraphs (b), (c), (d), and (e) of this section.

* * * * *

(d) * * *

Note to paragraph (d): Percentages less than the last percentage shown in the table shall be expressed in the same increments as

the foregoing, and the dockage factor for each such increment shall be .0015 less than the dockage factor for the preceding increment. With the exception of the 1998-99 crop year as provided in paragraph (e) of this section, no dockage shall apply to lots of raisins containing 34.9 percent or less of well-matured or reasonably well-matured raisins.

(e) For the 1998-99 crop year, maturity dockage table applicable to lots of Natural (sun-dried) Seedless, Golden Seedless, Dipped Seedless, Oleate and Related Seedless, Monukka, and Other Seedless raisins which contain 30.0 percent through 34.9 percent well-matured or reasonably well-matured raisins:

Percent well-matured or reasonably well-matured	Dockage factor
34.9	0.8480
34.8	0.8460
34.7	0.8440
34.6	0.8420
34.5	0.8400
34.4	0.8380

Note in paragraph (e): Percentages less than the last percentage shown in the table shall be expressed in the same increments as the foregoing, and the dockage factor for each such increment shall be .002 less than the dockage factor for the preceding increment. No dockage shall apply to lots of raisins containing 29.9 percent or less of well-matured or reasonably well-matured raisins.

Dated: October 21, 1998.

Robert C. Keeney,
Deputy Administrator, Fruit and Vegetable Programs.
[FR Doc. 98-28557 Filed 10-22-98; 8:45 am]
BILLING CODE 3410-02-U

FEDERAL RESERVE SYSTEM

12 CFR Part 201

[Regulation A]

Extensions of Credit by Federal Reserve Banks; Change in Discount Rate

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Final rule.

SUMMARY: The Board of Governors has amended its Regulation A on Extensions of Credit by Federal Reserve Banks to reflect its approval of a decrease in the basic discount rate at each Federal Reserve Bank. The Board acted on requests submitted by the Boards of Directors of the twelve Federal Reserve Banks.

EFFECTIVE DATE: The amendments to part 201 (Regulation A) were effective October 15, 1998. The rate changes for adjustment credit were effective on the dates specified in 12 CFR 201.51.