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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

Agriculture Marketing Service

[CN-97-004]

Cotton Research and Promotion Program: Determination of Whether To Conduct a Referendum Regarding 1990 Amendments to the Cotton Research and Promotion Act

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Notice.

SUMMARY: This notice announces the Department's determination not to conduct a continuance referendum regarding the 1990 amendments to the Cotton Research and Promotion Act. This determination is based on the results of a sign-up period conducted January 15 through April 14, 1997, during which all persons paying assessments to this program were provided the opportunity to request a referendum.

FOR FURTHER INFORMATION CONTACT: Craig Shackelford, Chief, Research and Promotion Staff, Cotton Division, AMS, USDA, Stop 0224, 1400 Independence Avenue, SW, Washington, D.C. 20250-0224. Telephone (202) 720-2259, facsimile (202) 690-1718.

SUPPLEMENTARY INFORMATION: During the period January 15 through April 14, 1997, the Department, pursuant to Section 8(c)(1) of the Cotton Research and Promotion Act provided an opportunity, a sign-up period, for all eligible persons to request a continuance referendum on the 1990 Act amendments. Sign-up period results showed that a total of 1,223 valid requests were received by the Department from eligible persons in various states and from importers. The following table depicts the number of requests for a continuance referendum.

FSA state office	Sign up request
Alabama	5
Arizona	35
Arkansas	1
California	0
Florida	26
Georgia	52
Kansas	0
Kentucky	1
Louisiana	208
Mississippi	62
Missouri	7
New Mexico	24
North Carolina	145
Oklahoma	18
South Carolina	1
Tennessee	47
Texas	296
Virginia	44
Importers	251
Total	1,223

Section 8(c)(2) of the Cotton Research and Promotion Act (Act), provides that following a sign-up period, the Secretary shall conduct a referendum upon the request of 10 percent or more of the number of cotton producers and importers voting in the most recent referendum (1991). This would require 10 percent or 4,622 ($46,220 \times .10 = 4,622$) of the 46,220 valid ballots cast by cotton producers and importers in the July 1991 referendum. It is further provided that, in counting such requests not more than 20 percent may be from producers from any one state or importers of cotton.

The Department finds that the results of the sign-up period did not meet the criteria requiring a continuance referendum by the Cotton Research and Promotion Act. The Department bases this determination on the fact that the 1,223 requests received during the sign-up period, is less than the 4,622 required.

Background

On November 28, 1990, Congress, as part of the Food, Agriculture, Trade and Conservation Act of 1990, enacted amendments to the Cotton Research and Promotion Act. These amendments provided for: (1) importer representation on the Cotton Board by an appropriate number of persons to be determined by the Secretary who import cotton or cotton products into the U.S., and are selected by the Secretary from nominations submitted by importer organizations certified by the Secretary; (2) assessments levied on imported

cotton and cotton products at a rate determined in the same manner as for U.S. cotton; (3) increase in the amount the Secretary can be reimbursed for conduct of a referendum from \$200,000 to \$300,000; (4) reimbursement of government agencies which assist in administering the collection of assessments on imported cotton and cotton products; and (5) termination of the right of producers to demand a refund of assessments.

In July 9, 1991, (56 FR 31289) the Agricultural Marketing Service (AMS) issued a proposal to amend the Cotton Research and Promotion Order. To determine if a majority, 50 percent or more, of producers and importers favored implementation of the proposed amendments to the Order, the Department conducted a referendum among persons who had been cotton producers or cotton importers during a representative period.

Results of the July 1991 referendum showed that of the 46,220 valid ballots received, 27,879 or 60 percent of the persons voting, 27,638 cotton producers and 241 importers, favored the amendments to the Order, and 18,341 or 40 percent, 17,957 cotton producers and 384 cotton importers, opposed the amendments to the Order.

Following the July 1991 referendum, AMS implemented the amendments. In addition to the previously discussed amendments to the Act and Order, the Department is required by Section 8(c)(1) to: (1) conduct a review once every 5 years after the anniversary date of the referendum implementing the 1990 Act amendments to determine whether a referendum is necessary and; (2) make public the results of such a review within 60 days after each fifth anniversary date of the 1991 implementing referendum. Should the review indicate that a referendum is needed, the Department is directed to conduct the referendum within 12 months after a public announcement of review results.

Should the review indicate that a referendum is not warranted, Section 8(c)(2) includes provisions for producers and importers to request a continuance referendum through a sign-up period.

Pursuant to the Act, on October 8, 1996, the Department announced its determination (61 FR 52772), based on a review report titled "Cotton Research

and Promotion Five Year Review", not to conduct a referendum on its own initiative among cotton producers and importers regarding the continuation of the 1990 Act amendments.

The report describes the impact of the Cotton Research and Promotion Program on the cotton industry and the views of those receiving its benefits. It states that the 1990 amendments to the Cotton Research and Promotion Act were successfully implemented and are operating as intended. The report also states that there is a general consensus within the cotton industry that the Cotton Research and Promotion Program in general, and the import assessment and the elimination of refunds in particular, are operating as intended. Based on the findings of the report, the Department found no compelling reason to conduct a referendum regarding the 1990 Act amendments, even though the report did recognize that some program participants were in favor of a referendum.

If the Secretary does not provide for such a referendum on the Secretary's own initiative, the Act provides that the Secretary shall conduct such a referendum upon the request of 10 percent or more of the number of cotton producers and importers voting in the most recent referendum. This would be accomplished through a sign-up period conducted by the Department. Determination of sign up eligibility and procedures for the conduct of the sign-up period were announced prior to the start of the sign-up period in the **Federal Register** (62 FR 1659).

With this announcement of the results of the sign-up, the Department has completed all requirements set forth in section 8(c) (1) and (2) regarding the review of the Cotton Research and Promotion Program to determine if a referendum is warranted. A referendum will not be conducted, and no further actions are planned in connection with this review.

Authority: 7 U.S.C. 2101-2118.

Dated: June 18, 1997.

D. Michael Holbrook,

Acting Administrator, Agricultural Marketing Service.

[FR Doc. 97-16413 Filed 6-23-97; 8:45 am]

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DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. 97-054-1]

Availability of an Environmental Assessment and Finding of No Significant Impact

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice.

SUMMARY: We are advising the public that an environmental assessment and finding of no significant impact have been prepared by the Animal and Plant Health Inspection Service relative to the proposed release into the environment of nonindigenous wasps for use as biological control agents to suppress the Pink Hibiscus Mealybug. The environmental assessment provides a basis for our conclusion that the release into the environment of the biological control agents will not present a risk of introducing plant pests into the United States or disseminating plant pests within the United States and will not have a significant impact on the quality of the human environment. Based on its finding of no significant impact, the Animal and Plant Health Inspection Service has determined that an environmental impact statement need not be prepared.

ADDRESSES: Copies of the environmental assessment and finding of no significant impact are available for public inspection at USDA, room 1141, South Building, 14th Street and Independence Avenue SW., Washington, DC, between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays. Persons wishing to inspect those documents are requested to call ahead on (202) 690-2817 to facilitate entry into the reading room.

FOR FURTHER INFORMATION CONTACT: Dr. Dale E. Meyerdirk, Senior Staff Officer, Pink Hibiscus Mealybug Program, PPQ, APHIS, 4700 River Road Unit 135, Riverdale, MD 20737-1236, (301) 734-5667. For copies of the environmental assessment and finding of no significant impact, write to Dr. Dale E. Meyerdirk at the same address. Please refer to the title of the environmental assessment when ordering copies.

SUPPLEMENTARY INFORMATION: As a part of a biological control project to suppress Pink Hibiscus Mealybug (PHM) (*Maconellicoccus hirsutus* [Green]) (Homoptera: Pseudococcidae), the Animal and Plant Health Inspection Service (APHIS) is proposing to release nonindigenous wasps in the genera

Anagyrus and *Gyranusoidea* (Hymenoptera: Encyrtidae) in the continental United States and its Caribbean territories. PHM is currently established on the islands of St. Thomas and St. John in the U.S. Virgin Islands and on Puerto Rico. However, we anticipate that PHM will spread to other U.S. territories in the Caribbean and to the mainland United States. As PHM spreads, nonindigenous wasps in the genera *Anagyrus* and *Gyranusoidea* would be released in affected areas to suppress PHM. PHM is a devastating pest of cocoa, grapes, fiber crops, hibiscus, and many other field crops and ornamental plants. Wasps of the genus *Anagyrus* have controlled PHM in Egypt, India, and Hawaii, and wasps of the genus *Gyranusoidea*, closely related to *Anagyrus* wasps, offer similar potential as biological control agents for the suppression of PHM.

To provide the public with documentation of APHIS' review and analysis of the environmental impact and plant pest risk associated with releasing these biological control agents into the environment, we have prepared an environmental assessment and finding of no significant impact relative to the release into the environment of the following biological control agents:

Organisms	Title of environmental assessment	Date of finding of no significant impact
<i>Anagyrus</i> spp. and <i>Gyranusoidea</i> spp.	"Field Releases of Nonindigenous Species of <i>Anagyrus</i> and <i>Gyranusoidea</i> (Hymenoptera: Encyrtidae) for Biological Control of Pink Hibiscus Mealybug, <i>Maconellicoccus hirsutus</i> (Homoptera: Pseudococcidae)" (June 1997).	5/30/97.

The environmental assessment and finding of no significant impact have been prepared in accordance with: (1) The National Environmental Policy Act of 1969, as amended (NEPA) (42 U.S.C. 4321 *et seq.*), (2) regulations of the Council on Environmental Quality for implementing the procedural provisions of NEPA (40 CFR parts 1500-1508), (3) USDA regulations implementing NEPA (7 CFR part 1b), and (4) APHIS' NEPA Implementing Procedures (7 CFR part 372).