

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

#### 7 CFR Chapters I, IX, X, and XI

[Doc. No. L&amp;RRS-03-01]

#### Regulatory Flexibility Act: Review of Regulations

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Schedule for review of agency regulations.

**SUMMARY:** The Agricultural Marketing Service (AMS) is publishing this plan for the review of its regulations under the Regulatory Flexibility Act (RFA). AMS has included in this plan all regulations that warrant periodic review irrespective of whether specific regulations meet the threshold requirement for mandatory review established by the RFA.

**FOR FURTHER INFORMATION CONTACT:** Christine M. Sarcone, Director, Legislative and Regulatory Review Staff, AMS, USDA, P.O. Box 96456, Room 3510-South, Washington, DC 20090-6456, telephone: (202) 720-3203; fax number (202) 690-3767.

#### SUPPLEMENTARY INFORMATION:

##### Background

Section 610 of the RFA (5 U.S.C. 610) requires agencies to review all regulations on a periodic basis that have or will have a significant economic impact on a substantial number of small entities. Because many of AMS' regulations impact small entities, AMS decided, as a matter of policy, to review certain regulations which although they may not meet the threshold requirement under sec. 610 of the RFA (5 U.S.C. 610) merit review.

The purpose of each review will be to determine whether the rules should be continued without change, or should be amended or rescinded (consistent with the objectives of applicable statutes) to minimize impacts on small businesses. In reviewing its rules the AMS will consider the following factors: (1) The continued need for the rule; (2) The nature of complaints or comments from the public concerning the rule; (3) The complexity of the rule; (4) The extent to which the rule overlaps, duplicates, or conflicts with other Federal rules and, to the extent feasible, with the state and local regulations; and (5) The length of time since the rule has been evaluated or the degree to which technology, economic conditions, or other factors have changed in the area affected by the rule.

This document updates the plan which was published on January 4, 2002 (67 FR 525). Part 998, Marketing Agreement Regulating the Quality of

Domestically Produced Peanuts, was removed from the plan because of the recently passed Farm Security and Rural Investment Act of 2002 which mandated that the program be terminated and a new program created. The new program, Minimum Quality and Handling Standards for Domestic and Imported Peanuts, along with several other new programs will be reviewed in 2010. Other changes have been made in the plan to space out the reviews to allow for better program administration. The results of reviews completed can be obtained from the Legislative and Regulatory Review Staff at the telephone number provided in the **FOR FURTHER INFORMATION CONTACT SECTION** of this document. The list of reviews completed include: (1) California Almonds, June 20, 2002 (67 FR 41816); (2) ID-E. Oregon Potatoes, May 28, 2002 (67 FR 36788); (3) California Olives, March 27, 2001 (66 FR 16593); and (4) Federal Seed Act Regulations, March 22, 2001 (66 FR 16015). AMS expects to publish summaries for Florida Tomatoes (Part 966), California Prunes (Part 993), and Watermelon Research and Promotion (1210) in the near future.

The attached document announces the revised schedule for reviewing the agency's regulations.

Dated: August 7, 2003.

**A.J. Yates,**

*Administrator, Agricultural Marketing Service.*

#### AGRICULTURAL MARKETING SERVICE REVIEW PLAN FOR REGULATIONS IDENTIFIED FOR SECTION 610 REVIEW, (CY 2003) REGULATORY FLEXIBILITY ACT

CFR part & authority	AMS program/regulation	Year implemented	Year for review
7 Part 46; Sec. 15, 46 Stat. 537; 7 U.S.C. 499o.	Perishable Agricultural Commodities Act, 1930 .....	1930/Regs Amended 1997	2008
7 Part 110; 7 U.S.C. 136a(d)(1)(c), 136i-1, and 450; 7 Part 2.17, 2.50.	Pesticide recordkeeping .....	1993 .....	2003
7 Part 205; 7 U.S.C. 6501-6522	National Organic Program .....	2000 .....	2010
7 Part 905; 7 U.S.C. 601-674 .....	Oranges, Grapefruit, Tangerines, and Tangelos Grown in Florida ...	1939 .....	2007
7 Part 916; 7 U.S.C. 601-674 .....	Nectarines Grown in California .....	1958 .....	2003
7 Part 917; 7 U.S.C. 601-674 .....	Fresh Pears and Peaches Grown in California .....	1939 .....	2003
7 Part 923; 7 U.S.C. 601-674 .....	Sweet Cherries Grown in Designated Counties in Washington .....	1957 .....	2007
7 Part 925; 7 U.S.C. 601-674 .....	Grapes Grown in a Designated Area of Southeastern California .....	1980 .....	2006
7 Part 927; 7 U.S.C. 601-674 .....	Winter Pears Grown in Oregon and Washington .....	1939 .....	2005
7 Part 929; 7 U.S.C. 601-674 .....	Cranberries Grown in States of Massachusetts, Rhode Island, etc	1962 .....	2005
7 Part 930; 7 U.S.C. 601-674 .....	Tart Cherries Grown in MI, NY, PA, OR, UT, WA & WI .....	1996 .....	2006
7 Part 948; 7 U.S.C. 601-674 .....	Irish Potatoes Grown in Colorado .....	1941 .....	2006
7 Part 966; 7 U.S.C. 601-674 .....	Tomatoes Grown in Florida .....	1955 .....	2003
7 Part 984; 7 U.S.C. 601-674 .....	Walnuts Grown in California .....	1948 .....	2008
7 Part 989; 7 U.S.C. 601-674 .....	Raisins Produced from Grapes Grown in California .....	1949 .....	2004

**AGRICULTURAL MARKETING SERVICE REVIEW PLAN FOR REGULATIONS IDENTIFIED FOR SECTION 610 REVIEW, (CY 2003)  
REGULATORY FLEXIBILITY ACT—Continued**

CFR part & authority	AMS program/regulation	Year implemented	Year for review
7 Part 993; 7 U.S.C. 601–674 .....	Dried Prunes Produced in California .....	1949 .....	2003
7 Part 996; Secs. 1308, Pub. L. 107–171, 116 Stat. 178 (7 U.S.C. 7958).	Minimum Quality and Handling Standards for Domestic and Imported Peanuts Marketed in the United States.	2003 .....	2010
7 Parts 1000–1139; 7 U.S.C. 601–674.	Federal Milk Marketing Orders .....	1999 .....	2009
7 Part 1150; 7 U.S.C. 4501–4513	Dairy Promotion Program .....	1984 .....	2006
7 Part 1160; 7 U.S.C. 6401–6417	Fluid Milk Promotion Program .....	1993 .....	2004
7 Part 1205; 7 U.S.C. 2101–2118	Cotton Research and Promotion .....	1996 .....	2003
7 Part 1207; 7 U.S.C. 2611–2627	Potato Research and Promotion .....	1972 .....	2005
7 Part 1209; 7 U.S.C. 6101–6112	Mushroom Promotion, Research and Consumer Information Order	1993 .....	2005
7 Part 1210; 7 U.S.C. 4901–4916	Watermelon Research and Promotion Plan .....	1990 .....	2003
7 Part 1215; 7 U.S.C. 7481–7491	Popcorn Promotion, Research and Consumer Information .....	1997 .....	2007
7 Part 1216; 7 U.S.C. 7401–7425	Peanut Promotion, Research, and Information Order .....	1999 .....	2009
7 Part 1218; 7 U.S.C. 7401–7425	Blueberry Promotion, Research, and Information Order .....	2000 .....	2010
7 Part 1219; 7 U.S.C. 7801–7813	Hass Avocado Promotion, Research, and Information .....	2003 .....	2010
7 Part 1220; 7 U.S.C. 6301–6311	Soybean Promotion, Research and Consumer Information .....	1991 .....	2005
7 Part 1230; 7 U.S.C. 4801–4819	Pork Promotion, Research, and Consumer Information .....	1986 .....	2008
7 Part 1240; 7 U.S.C. 4601–4612	Honey Research, Promotion, and Consumer Information Order .....	1987 .....	2008
7 Part 1250; 7 U.S.C. 2701–2718	Egg Research and Promotion .....	1976 .....	2005
7 Part 1260; 7 U.S.C. 2901–2911	Beef Promotion and Research .....	1986 .....	2007

[FR Doc. 03–20692 Filed 8–13–03; 8:45 am]

BILLING CODE 3410–02–P

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

#### 7 CFR Part 991

[Docket No. AO–F&V–991–A3; FV03–991–01]

#### Hops Produced in Washington, Oregon, Idaho and California; Postponement of Hearing on Proposed Marketing Agreement and Order No. 991

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Notice of postponement of public hearing on proposed marketing agreement and order.

**SUMMARY:** The public hearing scheduled to consider a proposed marketing agreement and order under the Agricultural Marketing Agreement Act of 1937 to cover hops grown in Washington, Oregon, Idaho and California has been postponed until after October 1, 2003. The notice of public hearing was announced in the **Federal Register** on Monday, July 28, 2003, at 68 FR 44244. Another notice will be published announcing the new hearing dates.

**FOR FURTHER INFORMATION CONTACT:** Barry Broadbent, Marketing Specialist, Marketing Order Administration Branch, Fruit and Vegetable Programs, AMS, USDA, Northwest Marketing

Field Office, 1220 SW. Third Avenue, room 369, Portland, Oregon 97204; telephone (503) 326–2724 or Fax (503) 326–7440; or Kathleen M. Finn, Marketing Order Administration Branch, Fruit and Vegetable Programs, AMS, USDA, 1400 Independence Avenue, SW., Stop 0237, Washington, DC 20250–0237; telephone: (202) 720–2491, fax: (202) 720–8938.

**Authority:** 7 U.S.C. 601–674.

Dated: August 8, 2003.

A.J. Yates,  
*Administrator, Agricultural Marketing Service.*

[FR Doc. 03–20690 Filed 8–13–03; 8:45 am]

BILLING CODE 3410–02–P

## DEPARTMENT OF ENERGY

### 10 CFR Parts 1015 and 1018

#### RIN 1901–AA98

#### Collection of Claims Owed the United States

**AGENCY:** Department of Energy.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Department of Energy (DOE) is proposing to amend its regulations governing the collection of claims of the United States for money or property arising from activities under DOE jurisdiction. Because the revisions to DOE's debt collection standards and procedures are not expected to receive any significant adverse comment, the amendment is also being issued as a direct final rule in the "Rules and

Regulations" section of this **Federal Register**. (See also "Discussion of Direct Final Rulemaking" in Section III of the **SUPPLEMENTARY INFORMATION** section of this notice of proposed rulemaking.)

**DATES:** Public comments must be received on or before September 15, 2003.

**ADDRESSES:** Comments (3 copies) should be addressed to: Helen O. Sherman, Director, Office of Finance and Accounting Policy (ME–10), Office of Management, Budget and Evaluation, Department of Energy, 1000 Independence Ave., SW., Washington, DC 20585.

**FOR FURTHER INFORMATION CONTACT:** Philip R. Pegnato, Team Leader, Management Accounting and Cash Management Team, Department of Energy, at (301) 903–9704; or Susan A. Donahue, Accountant, Management Accounting and Cash Management Team, Department of Energy, at (301) 903–4666.

#### SUPPLEMENTARY INFORMATION:

##### I. General Information

The proposed revisions to 10 CFR part 1015, including the incorporation of tax refund offset provisions currently in 10 CFR part 1018, would conform DOE's regulations to the Federal Claims Collection Standards issued by the Department of Treasury and the Department of Justice on November 22, 2000; clarify and simplify DOE's debt collection standards; and reflect changes to Federal debt collection procedures under the Debt Collection Improvement Act of 1996 and the General Accounting