behalf. Thus, both statutes have small entity orientation and compatibility.

There are approximately 11,000 producers of citrus in the production area and approximately 100 handlers subject to regulation under the marketing order. Small agricultural producers have been defined by the Small Business Administration (13 CFR 121.601) as those having annual receipts less than $500,000, and small agricultural service firms are defined as those whose annual receipts are less than $5,000,000. The majority of citrus producers and handlers may be classified as small entities.

The Florida citrus marketing order provides authority for the Committee, with the approval of the Department, to formulate an annual budget of expenses and collect assessments from handlers to administer the program. The members of the Committee are producers and handlers of Oranges, Grapefruit, Tangerines, and Tangelos Grown in Florida. They are familiar with the Committee's needs and with the costs for goods and services in their local area and are thus in a position to formulate an appropriate budget and assessment rate. The assessment rate is formulated and discussed in a public meeting. Thus, all directly affected persons have an opportunity to participate and provide input.

The Committee met on May 24, 1996, and unanimously recommended 1996–97 expenditures of approximately $230,000 and an assessment rate of $0.0035 per 4/5 bushel carton of citrus. In comparison, last year's budgeted expenditures were $215,000. The assessment rate of $0.0035 is $0.00025 higher than last year's assessment. Major expenditures recommended by the Committee for the 1996–97 year include $102,760 for salaries, $36,000 for the Manifest Department-FDACS, and $13,500 for insurance and bonds. Budgeted expenses for these items in 1995–96 were $101,740 for salaries, $36,000 for the Manifest Department-FDACS, and $13,350 for insurance and bonds.

The assessment rate recommended by the Committee was derived by dividing anticipated expenses by expected shipments of Florida citrus. Citrus shipments for the year are estimated at 64,500,000 which should provide $225,750 in assessment income. Income derived from handler assessments, along with interest income and funds from the Committee's authorized reserve, will be adequate to cover budgeted expenses. Any excess of revenues or expenses will be placed in the reserve fund. Funds in the reserve will be kept within the maximum permitted by the order.

While this rule will impose some additional costs on handlers, the costs are in the form of uniform assessments on all handlers. Some of the additional costs may be passed on to producers. However, these costs will be offset by the benefits derived by the operation of the marketing order. Therefore, the AMS has determined that this rule will not have a significant economic impact on a substantial number of small entities. Interested persons are invited to submit information on the regulatory and informational impacts of this action on small businesses.

The assessment rate established in this rule will continue in effect indefinitely unless modified, suspended, or terminated by the Secretary upon recommendation and information submitted by the Committee or other available information.

Although this assessment rate is effective for an indefinite period, the Committee will continue to meet during each fiscal period to consider recommendations for modification of the assessment rate. The dates and times of Committee meetings are available from the Committee or the Department. Committee meetings are open to the public and interested persons may express their views at these meetings. The Department will evaluate Committee recommendations and other available information to determine whether modification of the assessment rate is needed. Further rulemaking will be undertaken as necessary. The Committee's 1996–97 budget and those for subsequent fiscal periods will be reviewed and, as appropriate, approved by the Department.

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

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 Committee needs to have sufficient funds to pay its expenses which are incurred on a continuous basis: (2) the 1996–97 fiscal period begins on August 1, 1996, and the marketing order requires that the rate of assessment for each fiscal period apply to all assessable citrus handled during such fiscal period; (3) handlers are aware of this action which was unanimously recommended by the Committee at a public meeting and is similar to other assessment rate actions issued in part years; and (4) this interim final rule provides a 30-day comment period, and all comments timely received will be considered prior to finalization of this rule.

List of Subjects in 7 CFR Part 905

Grapefruit, Marketing agreements, Oranges, Reporting and recordkeeping requirements, Tangelos, Tangerines.

For the reasons set forth in the preamble, 7 CFR part 905 is amended as follows:

PART 905—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

1.The authority citation for 7 CFR part 905 continues to read as follows:

Authority: 7 U.S.C. 601–674.

2. A new subpart—Assessment Rates consisting of a new § 905.235 and a new subpart heading—Grade and Size Requirements are added immediately preceding § 905.306 Orange, Grapefruit, Tangerine, and Tangelo regulation to read as follows:

Note: This section will appear in the Code of Federal Regulations.

Subpart—Assessment Rates

§ 905.235 Assessment rate.

On and after August 1, 1996, an assessment rate of $0.0035 per 4/5 bushel carton is established for assessable for Florida citrus covered under the order.

Subpart—Grade and Size Requirements

§ 905.306 Orange, Grapefruit, Tangerine and Tangelo Regulation.

* * * * *

Dated: July 15, 1996.

Robert C. Keeney,

Director, Fruit and Vegetable Division.

[FR Doc. 96–18467 Filed 7–23–96; 8:45 am]

BILLING CODE 3410–02–M

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7 CFR Part 1240

[AMS–FV–96–701.C]

Honey Research, Promotion, and Consumer Information Order—Amendment of the Rules and Regulations to Add HTS Code for Flavored Honey; Correction

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Correction to final rule.

SUMMARY: This document contains a correction to the final rule which was published Tuesday, June 11, 1996 [61 FR 29461]. The final rule added a Harmonized Tariff Schedule code number for imported flavored honey to provide authority for the U.S. Customs Service to collect an assessment on all imported flavored honey.

EFFECTIVE DATE: June 12, 1996.

FOR FURTHER INFORMATION CONTACT: Richard B. Schultz, Research and Promotion Branch, Fruit and Vegetable Division, AMS, USDA, P.O. Box 96456, Room 2535–S, Washington, D.C. 29909–6456; telephone (202) 720–9915.

SUPPLEMENTARY INFORMATION:

Background

The Honey Research, Promotion, and Consumer Information Order (Order) provides that each producer and importer shall pay to the Honey Board (Board) a one cent per pound assessment rate on honey and honey products produced in or imported into the United States. Section 1240.5 of the Order defines honey products as products wherein honey is a principal ingredient.

In order for the U.S. Customs Service (Customs) to collect the assessments on imported honey and honey products, each product must be identified by a Harmonized Tariff Schedule (HTS) code number. Since the Board—s inception, honey has been assessed by Customs under HTS code number 0409.00.00. However, there were no HTS codes for honey products.

The Board identified flavored honey as a product containing approximately 99 percent honey and estimated that 500,000 pounds of flavored honey are imported into the United States annually without the importer paying the required assessment. At the recommendation of the Board, the Department of Agriculture (Department) requested the Committee for Statistical Annotation of Tariff Schedules (Committee) of the International Trade Commission to establish an HTS code for flavored honey. The Committee notified the Department on February 13, 1996, that a code had been established for flavored honey. On June 11, 1996, the Department published a final rule at 61 FR 29461 that added the new HTS code for flavored honey to the rules and regulations under the Order to provide authority for Customs to collect the assessment on all imported, flavored honey. However, the HTS code number published was incorrect, and Customs will be unable to collect assessments on imported, flavored honey until the correct number is published.

Need for Correction

In the final rule, the HTS code for flavored honey was incorrectly listed as 21006.90.9988 rather than as 2106.90.9988.

Correction of Publication

Accordingly, in the June 11, 1996, publication, FR Doc. 96–14758, page 29462, first column, 7 CFR Part 1240, § 1240.115, paragraph (e) is corrected by removing the figure ''21006.90.9988'' and adding in its place ''2106.90.9988''.

Dated: July 15, 1996.

Robert C. Keeney,

Director, Fruit and Vegetable Division.

[FR Doc. 96–18463 Filed 7–23–96; 8:45 am]

BILLING CODE 3410–02–P

FEDERAL DEPOSIT INSURANCE CORPORATION

12 CFR Part 311

Rules Governing Public Observation of Meetings of the Corporation's Board of Directors

AGENCY: Federal Deposit Insurance Corporation.

ACTION: Final rule; technical amendments.

SUMMARY: The Federal Deposit Insurance Corporation (FDIC or Corporation) is amending its regulations, which implement the requirements of The Government in the Sunshine Act (Sunshine Act) regarding public observation of meetings of its Board of Directors (Public Observation Rules) to amend the definition of ''Board'' by deleting references to specific standing committees which no longer exist and eliminating otherwise superfluous language; make two minor technical changes; update delegations of authority to conform to a changed position structure in the Corporation's Legal Division; and include a cross-reference to the Corporation's Freedom of Information Act (FOIA) regulations to clarify that documents considered in connection with Board meetings may be made available to the public under FOIA.

EFFECTIVE DATE: July 24, 1996.

FOR FURTHER INFORMATION CONTACT: Leneta G. Gregorie, Counsel and Special Assistant to the Executive Secretary, Office of the Executive Secretary, (202) 898–3719.

SUPPLEMENTARY INFORMATION:

I. Background

Section 303 of the Riegle Community Development and Regulatory Improvement Act of 1994, Pub. L. 103–325, 108 Stat. 2214, requires that each Federal banking agency conduct a review of its written regulations and policies for purposes of improving efficiency, reducing unnecessary costs, eliminating unwarranted constraints on credit availability, and removing inconsistencies and outmoded and duplicative requirements. The FDIC, in compliance with that mandate, has reviewed part 311 of its regulations and determined that, although it is statutorily mandated and imposes no unnecessary costs or unwarranted constraints on credit availability, several minor, technical amendments are necessary to ensure internal consistency and consistency with current organizational structure and the underlying statute, and to clarify the procedures under which certain documents may be made available.

The definition of ''Board'' at § 311.2(a) excludes any standing or special committee (such as the Board of Review, the Board of Review (Mergers), or the Committee on Liquidations, Loans and Purchases of Assets) which has been or may be created by the Board of Directors but whose membership consists primarily of Corporation employees, including not more than one Board member. This exclusionary language was originally included in the definition to make it clear that the Corporation's then existing standing committees, because of their functions and membership, did not constitute ''subdivisions'' of the Board. However, it has since been well established that Congress did not intend to bring agency employees within the meaning of the term ''subdivisions'', thereby rendering the exclusion unnecessary. In addition, all but one of the named committees have been abolished, and the Corporation's standing committee structure is always subject to change at the discretion of the Board. Substituting the names of currently existing committees would render the reference outdated each time a change was made to the committee structure. Therefore, in order to simplify the definition of ''Board'' and eliminate the need to make constant revisions to the regulation, the entire exclusionary clause has been deleted.

Under the Sunshine Act, a ''meeting'' is defined as the deliberations of at least the number of individual agency members required to take action on behalf of the agency where such deliberations determine or result in the joint conduct or disposition of official agency business. Although the Sunshine Act is silent on the issue of notational voting, judicial interpretations of the