

Administrative Issues Subcommittee and a RAC meeting on May 15, 2003. All of these meetings 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, interested persons are invited to submit information on the regulatory and informational impact of this action on small businesses.

A small business guide on complying with fruit, vegetable, and specialty crop marketing agreements and orders may be viewed at: <http://www.ams.usda.gov/fv/moab.html>. Any questions about the compliance guide should be sent to Jay Guerber at the previously mentioned address in the **FOR FURTHER INFORMATION CONTACT** section.

Comments are invited concerning this rule. A 60-day comment period is provided to allow interested persons to respond to this rule. All written comments received will be considered before a final decision is made on this matter.

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.

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) This rule needs to be implemented as soon as possible because the 2003–04 crop year begins August 1, 2003; (2) the RAC unanimously recommended these changes at a public meeting and interested parties had an opportunity to provide input; and (3) a 60-day comment period is provided and all comments received will be considered in finalizing 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. Section § 989.110 is amended by:

- a. Revising paragraph (a);
- b. Removing paragraph (c); and
- c. Redesignating paragraphs (d) through (j) as paragraphs (c) through (i).

The revised text reads as follows:

§ 989.110 Varietal types.

(a) Natural (sun-dried) Seedless includes all sun-dried seedless raisins possessing similar identifiable characteristics as raisins produced from Thompson Seedless grapes or similar grape varieties, whether dried on trays or on the vine, with or without the application of a drying agent that is a food-grade additive such as, soda, oil, Ethyl Oleate, or Methyl Oleate prior to, during, or after the drying process.

■ 3. In § 989.166, paragraph (a)(1) is revised to read as follows:

§ 989.166 Reserve tonnage generally.

(a) * * * (1) *Natural (sun-dried) Seedless*. Handlers who acquire any lot of natural condition Natural (sun-dried) Seedless raisins which have been dipped in or sprayed with water, with or without chemicals, prior to or during the drying process, for purposes other than to expedite drying, or that have been produced from seedless varieties of grapes other than Thompson Seedless (*i.e.*, Fiesta, Emerald Seedless, Perlette, Delight, and other similar grape varieties), or that have been treated with Oleate or similar drying agents, or such other Natural (sun-dried) Seedless raisins that have been produced using other cultural practices as recommended by the Committee with the approval of the Secretary, may set aside such raisins to satisfy their reserve pool obligation: *Provided*, That such raisins shall be identified by the Inspection Service affixing to one container on each pallet or to each bin in each lot, a prenumbered RAC control card (to be furnished by the Committee) which shall remain affixed until raisins are processed or disposed of as natural condition raisins: and *Provided further*, That such raisins shall not be delivered to the Committee or transferred to

another handler without approval of the Committee or the receiving handler.

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§ 989.210 [Amended]

■ 4. In § 989.210, the first sentence in paragraph (a) is amended to remove the words “Oleate and Related Seedless,”.

§ 989.212 [Amended]

■ 5. In § 989.212, the first sentence in paragraph (a) and the heading in paragraph (b) are amended to remove the words “Oleate and Related Seedless,”.

§ 989.213 [Amended]

■ 6. Section 989.213 is amended by:

- a. Removing the words “Oleate and Related Seedless,” in the first sentence in paragraph (a) and the introductory text in paragraphs (b), (c), and (d).
- b. Removing paragraph (e) and the note immediately following it.

§ 989.601 [Amended]

■ 7. In § 989.601, the table is revised to read as follows:

§ 989.601 Conversion factors for raisin weight.

| Varietal type | Conversion factor |
|---|-------------------|
| Natural (sun-dried) Seedless | 0.92 |
| Golden Seedless, Dipped Seedless, Other Seedless, and Other Seedless-Sulfured | 0.95 |
| Muscats (including raisins with seeds): | |
| Seeded | 0.80 |
| Unseeded | 0.92 |
| Sultana | 0.92 |
| Zante Currant | 0.91 |

§ 989.701 [Amended]

■ 8. In § 989.701, the first sentence in paragraph (b) is amended by removing the words “Oleate and Related Seedless,”.

§ 989.702 [Amended]

■ 9. In § 989.702, the paragraph heading and the first sentence in paragraph (a) are amended by removing the words “Oleate and Related Seedless,”.

Dated: July 16, 2003.

A.J. Yates,

Administrator, Agricultural Marketing Service.

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