

pound container or container equivalent. Therefore, the estimated assessment revenue for the 2003–04 fiscal period as a percentage of total grower revenue could range between 3.33 and 5.0 percent.

This action increases the assessment obligation imposed on handlers. While assessments impose some additional costs on handlers, the costs are minimal and uniform on all handlers. Some of the additional costs may be passed on to producers. However, these costs would be offset by the benefits derived from the operation of the marketing orders. In addition, the committees' meetings were widely publicized throughout the California nectarine and peach industries and all interested persons were invited to attend the meetings and participate in the committees' deliberations on all issues. Like all committee meetings, the May 1, 2003, meetings were public meetings and all entities of all sizes were able to express views on this issue. Finally, interested persons are invited to submit information on the regulatory and informational impacts of this action on small businesses.

This rule will impose no additional reporting or recordkeeping requirements on either small or large 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.

USDA has not identified any relevant Federal rules that duplicate, overlap, or conflict with this rule.

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.

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 Committees' recommendations, 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) The 2003–04 fiscal periods began on March 1, 2003, and the marketing orders require that the rates of assessment for each fiscal period apply to all assessable nectarines and peaches handled during such fiscal period; (2) the committees need to have sufficient funds to pay their expenses which are incurred on a continuous basis; and (3) handlers are aware of this action which was recommended by the committees at public meetings and is similar to other assessment rate actions issued in past years; (4) this interim final rule provides a 60-day comment period, and all comments timely received will be considered prior to finalization of this rule.

#### List of Subjects

##### 7 CFR Part 916

Marketing agreements, Nectarines, Reporting and recordkeeping requirements.

##### 7 CFR Part 917

Marketing agreements, Peaches, Pears, Reporting and recordkeeping requirements.

■ For the reasons set forth in the preamble, 7 CFR parts 916 and 917 are amended as follows:

■ 1. The authority citation for 7 CFR parts 916 and 917 continues to read as follows:

**Authority:** 7 U.S.C. 601–674.

#### PART 916—NECTARINES GROWN IN CALIFORNIA

■ 2. Section 916.234 is revised to read as follows:

##### § 916.234 Assessment rate.

On and after March 1, 2003, an assessment rate of \$0.20 per 25-pound container or container equivalent of nectarines is established for California nectarines.

#### PART 917—PEACHES GROWN IN CALIFORNIA

■ 3. Section 917.258 is revised to read as follows:

##### § 917.258 Assessment rate.

On and after March 1, 2003, an assessment rate of \$0.20 per 25-pound container or container equivalent of peaches is established for California peaches.

Dated: August 11, 2003.

**A.J. Yates,**

*Administrator, Agricultural Marketing Service.*

[FR Doc. 03–20875 Filed 8–14–03; 8:45 am]

**BILLING CODE 3410–02–U**

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

#### 7 CFR Parts 1000 and 1032

[Docket # DA–03–09; AO–313–A45]

#### Milk in the Central Marketing Area

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

**ACTION:** Final rule; technical amendment.

**SUMMARY:** In a final rule published in the **Federal Register** on December 17, 1999 (64 FR 70868) the Agricultural Marketing Service (AMS) consolidated Federal milk marketing orders. This document adds “Broomfield” to the Adjusted Class I differentials table.

**EFFECTIVE DATE:** August 16, 2003.

**FOR FURTHER INFORMATION CONTACT:** Jack Rower, Marketing Specialist, Order Formulation and Enforcement Branch, USDA/AMS/Dairy Programs, Stop 0231–Room 2971, 1400 Independence Avenue, SW., Washington, DC 20250–0231, (202) 720–9363, e-mail: [jack.rower@usda.gov](mailto:jack.rower@usda.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

On December 17, 1999, the Agricultural Marketing Service published a final rule consolidating the Federal milk marketing orders and changing the Class I differentials contained therein. Subsequent to adoption of this final regulation, on November 15, 2001, Broomfield became Colorado's 64th county as a result of an amendment to the Colorado State constitution.

This document amends the regulations by adding the county of Broomfield, CO, to both parts 1000 and 1032 in the General Provisions of Federal milk marketing orders and the Central marketing area, respectively.

#### List of Subjects in 7 CFR Parts 1000 and 1032

Milk marketing orders.

■ Accordingly we are amending 7 CFR parts 1000 and 1032 as follows:

■ 1. The authority citation for 7 CFR parts 1000 and 1032 continues to read as follows:

**Authority:** 7 U.S.C. 601–674.