

refusal to renew, or for suspension or revocation of a license if the respondent requests that such proceeding be subject to the administrative procedure provisions in 5 U.S.C. 554, 556, and 557. If such a request is not made, the rules of practice in 7 CFR part 26, subpart C shall apply." Title 7 CFR part 26, subpart C, was deleted, effective April 11, 1980 (45 FR 15873). Therefore, the Office of the Secretary is removing footnote 2 and the reference to footnote 2 in 7 CFR 1.131(a). The Office of the Secretary is also adding a reference to the section in the United States Code in which section 17A(d) of the United States Grain Standards Act is codified, 7 U.S.C. 87f–1(d).

The Office of the Secretary is also: (1) Correcting cross-references to regulations and statutes in 7 CFR 1.132, 7 CFR 1.133(b)(2), 7 CFR 1.136(c), 7 CFR 1.137(b), 7 CFR 1.141(e)(2), and 7 CFR 1.144(c); (2) making editorial changes in 7 CFR 1.131(b), 7 CFR 1.141(b)(1) (redesignated footnote 2), 7 CFR 1.142(c)(4), 7 CFR 1.143(d), 7 CFR 1.144(c)(13), 7 CFR 1.147(h), and 7 CFR 1.148(a)(3) for clarity and to correct typographical errors; and (3) eliminating gender-specific references in 7 CFR 1.141(e)(2).

5 U.S.C. 553, 601, and 804

This rule amends provisions of the rules of practice governing the conduct of certain adjudicatory proceedings before the Secretary of Agriculture. Therefore, pursuant to 5 U.S.C. 553, notice of proposed rulemaking and opportunity for comment are not required for this rule, and this rule may be made effective less than 30 days after publication in the **Federal Register**. In addition, under 5 U.S.C. 804, this rule is not subject to congressional review under the Small Business Regulatory Enforcement Fairness Act of 1996, Pub. L. 104–121. Finally, this rule is exempt from the requirements of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*).

Executive Order 12866 and 12988

This rule has been determined to be not significant for purposes of Executive Order 12866 and, therefore, has not been reviewed by OMB.

This rule has been reviewed under Executive Order 12988, Civil Justice Reform. This rule is not intended to have retroactive effect. This rule will not preempt State or local laws, regulations, or policies, unless they present an irreconcilable conflict with this rule. There are no administrative proceedings which must be exhausted before parties may file suit in court challenging this rule.

Paperwork Reduction Act

This rule contains no information collection or recordkeeping requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

List of Subjects in 7 CFR Part 1

Administrative practice and procedure, Agriculture, Antitrust, Blind, Claims, Concessions, Cooperatives, Equal access to justice, Federal buildings and facilities, Freedom of information, Lawyers, Privacy.

Accordingly, 7 CFR part 1 is amended as follows:

PART 1—ADMINISTRATIVE REGULATIONS

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

Authority: 5 U.S.C. 301, unless otherwise noted.

Subpart H—Rules of Practice Governing Formal Adjudicatory Proceedings Instituted by the Secretary Under Various Statutes

§ 1.131 [Amended]

2. Section 1.131 is amended as follows:

a. In paragraph (a), the reference to “Packers and Stockyards Act, 1921, as supplemented, sections 203, 312, 401, 502(b), and 505 of the Act, and section 1, 57 Stat. 422, as amended by section 4, 90 Stat. 1249 (7 U.S.C. 193, 204, 213, 218a, 218d, 221)” is removed and “Packers and Stockyards Act, 1921, as supplemented, sections 203, 312, and 401 of the Act, and section 1, 57 Stat. 422, as amended by section 4, 90 Stat. 1249 (7 U.S.C. 193, 204, 213, 221)” is added in its place.

b. In paragraph (a), the reference to “Perishable Agricultural Commodities Act, 1930, sections 1(9), 3(c), 4(d), 6(c), 8(a), 8(b), 8(c), 9 and 13(a), 7 U.S.C. 499c(c), 499d(d), 499f(c), 499h(a), 499h(b), 499h(c), 499i, 499m(a)” is removed and “Perishable Agricultural Commodities Act, 1930, sections 1(b)(9), 3(c), 4(d), 6(c), 8(a), 8(b), 8(c), 8(e), 9, and 13(a) (7 U.S.C. 499a(b)(9), 499c(c), 499d(d), 499f(c), 499h(a), 499h(b), 499h(c), 499h(e), 499i, 499m(a))” is added in its place.

c. In paragraph (a), footnote 2 and the reference to footnote 2 are removed.

d. In paragraph (a), the reference to “(7 U.S.C. 79(g)(3), 85, 86)” is removed and “(7 U.S.C. 79(g)(3), 85, 86, 87f–1(d))” is added in its place.

e. In paragraph (b)(1), the period is removed immediately after the word “service” and a semicolon is added in its place.

f. In paragraph (b)(2), the period is removed immediately after the reference to “(9 CFR parts 160, 161)” and a semicolon is added in its place.

§ 1.132 [Amended]

3. In § 1.132 the definition of “Petitioner” is amended by removing the reference to “7 U.S.C. 499a(9)” and adding “7 U.S.C. 499a(b)(9)” in its place.

§ 1.133 [Amended]

4. In § 1.133, paragraph (b)(2) is amended by removing the reference to “7 CFR 47.47–47.68” and adding a reference to “§§ 47.47–47.49 of this title” in its place; and by removing the reference to “7 U.S.C. 499a(9)” and adding a reference to “7 U.S.C. 499a(b)(9)” in its place.

§ 1.136 [Amended]

5. In § 1.136, paragraph (c), the reference to “§ 1.136(a)” is removed and the words “paragraph (a) of this section” are added in its place.

§ 1.137 [Amended]

6. In § 1.137, paragraph (b) is amended by removing the reference to “7 U.S.C. 499a(9)” and adding a reference to “7 U.S.C. 499a(b)(9)” in its place.

§ 1.141 [Amended]

7. Section 1.141 is amended as follows:

a. In paragraph (b)(1), footnote 3 is redesignated as footnote 2 and is amended by removing the letter “z” immediately after the period at the end of the footnote.

b. In paragraph (e)(2), the reference to “7 U.S.C. 499a(9)” is removed and “7 U.S.C. 499a(b)(9)” is added in its place; and the word “his” is removed both times it appears and the word “the” is added in its place.

§ 1.142 [Amended]

8. In § 1.142, paragraph (c)(4) is amended by adding the words “final and” immediately before the word “effective”.

§ 1.143 [Amended]

9. In § 1.143, paragraph (d) is amended by removing the word “their” and adding the words “the Judge’s or Judicial Officer’s” in its place.

§ 1.144 [Amended]

10. Section 1.144 is amended as follows:

a. In paragraph (c), the introductory text is amended by removing the word “elsewhere”; and by removing the word