

The salable quantity is the total quantity of each class of oil that handlers may purchase from, or handle for, producers during a marketing year. The salable quantity calculated by the Committee is based on the estimated trade demand. The total salable quantity is divided by the total industry allotment base to determine an allotment percentage. Each producer is allotted a share of the salable quantity by applying the allotment percentage to the producer's allotment base for the applicable class of spearmint oil.

The initial salable quantity and allotment percentages for Scotch and Native spearmint oils for the 1995-96 marketing year were recommended by the Committee at its October 5, 1994, meeting. The Committee recommended salable quantities of 908,531 pounds and 906,449 pounds, and allotment percentages of 51 percent and 46 percent, respectively, for Scotch and Native spearmint oils. A proposed rule was published in the December 15, 1994, issue of the **Federal Register** (59 FR 64625). Comments on the proposed rule were solicited from interested persons until January 17, 1995. No comments were received. Accordingly, based upon analysis of available information, a final rule establishing the Committee's recommendation as the salable quantities and allotment percentages for Scotch and Native spearmint oils for the 1995-96 marketing year was published in the February 15, 1995, issue of the **Federal Register** (60 FR 8524).

Pursuant to authority contained in sections 985.50, 985.51, and 985.52 of the order, at its February 22, 1995, meeting, the Committee recommended, with one member voting in opposition, that the salable quantity for Native spearmint oil for the 1995-96 marketing year be increased from 906,449 pounds to 1,004,976 pounds. The member voting in opposition did not favor an increase in the salable quantity and allotment percentage because he believed it was too early to determine what the market conditions will be during the 1995-96 marketing year. Based on the total allotment base of 1,970,542 pounds, the allotment percentage for Native spearmint oil is increased from 46 percent to 51 percent, resulting in a 98,527 pound increase in the salable quantity.

Native Spearmint Oil Recommendations

(1) Salable Quantity

October 5, 1994.....906,449 pounds
February 22, 1995.....1,004,976 pounds

(2) Allotment Base

October 5, 1994.....1,970,542 pounds
February 22, 1995.....1,970,542 pounds

(3) Allotment Percentage

October 5, 1994.....46 percent
February 22, 1995.....51 percent

In making this latest recommendation, the Committee considered all available information on supply and demand. The 1995-96 marketing year begins on June 1, 1995. Handlers have indicated that the available supply of Scotch spearmint oil appears adequate to meet anticipated demand through May 31, 1996. Handlers have indicated, however, that demand for Native spearmint oil is currently fairly strong and anticipate that this trend will likely continue into the next marketing year. Based upon this strengthening demand, as well as historical data that indicates the annual average of sales for the last eight years is 1,006,512 pounds, the Committee believes that an increase in the salable quantity to 1,004,976 pounds is necessary to meet anticipated demand. This level of demand was not anticipated by the Committee when it made its initial recommendation for the establishment of the Native spearmint oil salable quantity and allotment percentage for the 1995-96 marketing year.

The recommended salable quantity of 1,004,976 pounds of Native spearmint oil (an increase of 98,527 pounds), combined with a revised estimated carry-in of 100,000 pounds on June 1, 1995, results in a revised 1995-96 estimated available supply of 1,104,976 pounds. Thus, the revised estimate for the 1995-96 marketing year Native spearmint oil available supply is approximately 100,000 pounds higher than the annual average of sales for the past eight years. With this revision, the Committee anticipates that demand for Native spearmint oil during the 1995-96 marketing year will be adequately met.

The Department, based on its analysis of available information, has determined that an allotment percentage of 51 percent should be established for Native spearmint oil for the 1995-96 marketing year. This percentage will provide an increased salable quantity of 1,004,976 pounds of Native spearmint oil.

Based on available information, the Administrator of the AMS has determined that the issuance of this final rule will not have a significant economic impact on a substantial number of small entities.

After consideration of all relevant matter presented, including that contained in the prior proposed, interim final and final rules in connection with the establishment of the salable quantities and allotment percentages for Scotch and Native spearmint oils for the 1995-96 marketing year, the

Committee's recommendation and other available information, it is found that to finalize the interim final rule revising § 985.214 (60 FR 8524) of the salable quantity and allotment percentage for Native spearmint oil, as hereinafter set forth, will tend to effectuate the declared policy of the Act.

List of Subjects in 7 CFR Part 985

Marketing agreements, Oils and fats, Reporting and recordkeeping requirements, Spearmint oil.

For the reasons set forth in the preamble, 7 CFR part 985 is amended as follows:

PART 985—SPEARMINT OIL PRODUCED IN THE FAR WEST

Accordingly, the interim final rule amending 7 CFR part 985 which was published at 60 FR 18950 on April 14, 1995, is adopted as a final rule without change.

Dated: June 6, 1995.

Sharon Bomer Lauritsen,

Deputy Director, Fruit and Vegetable Division.

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7 CFR Part 985

[Docket No. FV95-985-1FIR]

Spearmint Oil Produced in the Far West; Expenses and Assessment Rate for the 1995-96 Fiscal Year

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: The Department of Agriculture (Department) is adopting as a final rule, without change, the provisions of an interim final rule that authorized expenses and established an assessment rate for the Spearmint Oil Administrative Committee (Committee) under Marketing Order No. 985 for the 1995-96 fiscal year. Authorization of this budget enables the Committee to incur expenses that are reasonable and necessary to administer this program. Funds to administer this program are derived from assessments on handlers. **EFFECTIVE DATE:** June 1, 1995, through May 31, 1996.

FOR FURTHER INFORMATION CONTACT:

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