

business, including ensuring termination of all outstanding agreements and contracts, and the payment of all obligations. The trustees will be responsible for safeguarding program assets, holding committee records, and arranging for a financial audit to be conducted. All such actions by the trustees are subject to the approval of the Secretary. Those designated as trustees are John Graffigna, Duane M. Jungblut, Jeryl R. Fry, Jr., Burgess R. Mettler, Bruce A. Mettler, James R. Lauchland, and George H. Mettler. The trustees shall continue in their capacity until discharged by the Secretary.

The remainder of the reserves, after immediate expenses are paid, will be held by the trustees to be used to cover unforeseen, outstanding expenses obligated by the trustees.

In accordance with section 8e of the Act (7 U.S.C. 608e), imported Tokay grapes are subject to the same minimum requirements as domestically produced Tokay grapes. With no effective order for domestic Tokay grapes, there is no basis upon which to continue the import regulation as provided for in sections 944.503(a)(3), 944.503(e), (7 CFR 944.503) and 944.605 (7 CFR 944.605). This order revises provisions of § 944.503 Table Grape Import Regulation 4, paragraph(a)(3), by deleting the reference to Tokay grape import requirements for the period April 20 through August 11 of each year. This order also deletes provisions of § 944.503 paragraph(e) which provide import requirements for Tokay grapes imported into the United States during the period, April 20 through August 11. This order redesignates 944.503(f) as 944.503(e) and terminates section 944.605 in its entirety.

This order also revises § 944.350 Safeguard procedures for avocados, grapefruit, kiwifruit, limes, olives, oranges, table grapes, and Tokay grapes exempt from grade, size, quality, and maturity requirements. Specifically, § 944.350(a)(1) and (2) are revised by deleting all references to Tokay grapes. In accordance with section 8e of the Act, the United States Trade Representative has concurred with the issuance of this termination order.

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

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 additional preliminary notice, or to engage in further public procedure with

respect to this action, because (1) this action relieves restrictions on handlers by terminating the provisions of part 926 and applicable provisions of part 944; (2) only three handlers were shipping fruit to the fresh market in fiscal period 1994–1995, and (3) the industry recommended terminating the marketing order at a public meeting held on October 21, 1994.

List of Subjects

7 CFR Part 926

Grapes, Marketing Agreements, Reporting and recordkeeping requirements.

7 CFR Part 944

Avocados, Food grades and standards, Grapefruit, Grapes, Imports, Kiwifruit, Limes, Olives, Oranges.

For the reasons set forth in the preamble, 7 CFR parts 926 and 944 are amended as follows:

PART 926—TOKAY GRAPES GROWN IN SAN JOAQUIN COUNTY, CALIFORNIA

1. The authority citation for 7 CFR parts 926 and 944 continues to read as follows:

Authority: 7 U.S.C. 601–674.

PART 926—[REMOVED]

2. Accordingly, 7 CFR part 926 is removed.

PART 944—FRUITS; IMPORT REGULATIONS

3. § 944.503 is amended by revising paragraph (a) (3), removing (e) and redesignating paragraph(f) as paragraph (e) to read as follows:

§ 944.503 Table Grape Import Regulation 4.

(a) * * *

(3) All regulated varieties of grapes offered for importation shall be subject to the grape import requirements contained in this section effective April 20 through August 15.

* * * * *

§ 944.605 [Removed]

4. § 944.605 is removed.

§ 944.350 [Amended]

5. § 944.350 is amended by removing the words “Tokay grapes” wherever they appear.

Dated: June 22, 1995.

David R. Shipman,

Acting Deputy Assistant Secretary, Marketing and Regulatory Programs.

[FR Doc. 95–15949 Filed 6–28–95; 8:45 am]

BILLING CODE 3410–02-P

7 CFR Part 1230

[No. LS–94–008]

Pork Promotion, Research, and Consumer Information Program—Change in Requirements for Annual Financial Audits

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule and termination order.

SUMMARY: This document terminates the provision of the Pork Promotion, Research, and Consumer Information Order (Order) containing requirements for submission of annual financial reports to the National Pork Board (Board) by organizations that receive less than \$10,000 in annual distributed assessments; and issues new requirements in the regulations to implement the Order provisions. The new requirements raise the minimum annual revenue requiring a certified public accountant audit from \$10,000 to \$30,000. This change facilitates the cost-effective preparation and submission of annual financial reports.

EFFECTIVE DATE: July 31, 1995.

ADDRESSES: Ralph L. Tapp, Chief, Marketing Programs Branch, Livestock and Seed Division, Agricultural Marketing Service (AMS), USDA, Room 2606–S, P.O. Box 96456, Washington, D.C. 20090–6456.

FOR FURTHER INFORMATION CONTACT: Ralph L. Tapp, Chief, Marketing Programs Branch, 202/720–1115.

SUPPLEMENTARY INFORMATION:

Executive Orders 12866 and 12778 and Regulatory Flexibility Act

The Department of Agriculture is issuing this rule in conformance with Executive Order 12866.

This action has been reviewed under Executive Order 12778, Civil Justice Reform. This final rule is not intended to have a retroactive effect. The Pork Promotion, Research, and Consumer Information Act (Act) states that the statute is intended to occupy the field of promotion and consumer education involving pork and pork products and of obtaining funds thereof from pork producers and that the regulation of such activity (other than a regulation or requirement relating to a matter of public health or the provision of State or local funds for such activity) that is in addition to or different from the Act may not be imposed by a State.

The Act provides that administrative proceedings must be exhausted before parties may file suit in court. Under § 1625 of the Act, a person subject to an