the Committee. However, the majority of Committee members expressed the need for the industry to work together to promote California dates and help reduce current inventories.

The 1995–96 budget of \$774,218 is \$203,218 more than the previous year. Included in the budgeted expenditures is an operating budget of \$160,000, \$24,865 more than last year, with a 26.25 percent surplus account allocation, for a net operating budget of \$118,000, or \$18,000 more than last year. Also included is \$656,218 allocated for market promotion, \$206,218 more than last year.

Budget items for 1995-96 which have increased compared to those budgeted for 1994–95 (in parentheses) are: Executive Director's salary, \$66,000 (\$57,500), Marketing Assistant's Salary, \$24,000 (\$18,500), health and welfare benefits, \$10,500 (\$8,500), payroll taxes, \$8,000 (\$5,814), rent, \$7,500 (\$7,000), professional services-accounting, \$3,000 (\$2,000), contingency, \$5,200 (\$221), consumer public relations, \$151,500 (\$60,000), consumer media, \$336,218 (\$265,000), industrial promotion, \$115,000 (\$30,000), and \$13,000 for a secretary/receptionist for which no funding was recommended last year. Items which have decreased compared to the amount budgeted for 1994-95 (in parentheses) are: Copier lease and maintenance, \$2,100 (\$2,400), retail trade promotion, \$35,000 (\$45,000), and (\$4,000) for equipment for marketing efforts, for which no funding was recommended this year. All other items are budgeted at last year's amounts.

The assessment rate of \$2.25 per hundredweight is \$0.75 more than last season. This rate, when applied to anticipated date shipments of 36,000,000 pounds (360,000 hundredweight), will yield \$810,000 in assessable income. This, along with \$1,000 in interest income, will result in \$36,782 in excess income which will be allocated to the Committee's reserve. Funds in the reserve as of September 30. 1996, which the Committee estimates will be \$235,782, should be within the maximum amount permitted by the order. Funds held by the Committee at the end of the crop year, including the reserve, which are in excess of the crop year's expenses may be used to defray expenses for four months and thereafter the Committee shall refund or credit the excess funds to the handlers.

A proposed rule was published in the Federal Register on August 7, 1995 (60 FR 40116). That rule provided that interested persons could file written comments through September 6, 1995. No comments were received.

While this action will impose some additional costs on handlers, the costs are in the form of uniform assessments on all handlers. Some of the additional costs may be passed on to producers. However, these costs will be offset by the benefits derived by the operation of the marketing order. Therefore, the Administrator of the AMS has determined that this action will not have a significant economic impact on a substantial number of small entities.

After consideration of all relevant matter presented, including the information and recommendations submitted by the Committee and other available information, it is hereby found that this rule, as hereinafter set forth, will tend to effectuate the declared policy of the Act.

It is further found that good cause exists for not postponing the effective date of this rule until 30 days after publication in the Federal Register (5 U.S.C. 553) because the Committee needs to have sufficient funds to pay its expenses which are incurred on a continuous basis. The 1995-96 crop year begins on October 1, 1995. The marketing order requires that the rate of assessment for the crop year apply to all assessable dates handled during the crop year. In addition, handlers are aware of this rule which was recommended by the Committee at a public meeting and published in the Federal Register as a proposed rule. Written comments were invited, and none was received.

List of Subjects in 7 CFR Part 987

Dates, Marketing agreements, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR part 987 is amended as follows:

PART 987—DOMESTIC DATES PRODUCED OR PACKED IN RIVERSIDE COUNTY, CALIFORNIA

- 1. The authority citation for 7 CFR part 987 continues to read as follows: Authority: 7 U.S.C. 601–674.
- 2. A new § 987.338 is added to read as follows:

Note: This section will not appear in the Code of Federal Regulations.

§ 987.338 Expenses and assessment rate.

Expenses of \$774,218 by the California Date Administrative Committee are authorized, and an assessment rate of \$2.25 per hundredweight of assessable dates is established for the crop year ending September 30, 1996. Unexpended funds

may be carried over as a reserve within the limitations specified in § 987.72 (c) and (d).

Dated: September 22, 1995.
Sharon Bomer Lauritsen,
Deputy Director, Fruit and Vegetable Division.
[FR Doc. 95–24047 Filed 9–27–95; 8:45 am]
BILLING CODE 3410–02–P

7 CFR Part 997

[Docket No. FV95-997-2IFR]

Amendment of Provisions Regulating Domestically Produced Peanuts Handled by Persons Not Subject to the Peanut Marketing Agreement

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Interim final rule with request for comments.

SUMMARY: This rule amends for 1995 and subsequent crop years several certification and identification requirements established for peanuts handled by persons not signatory to Peanut Marketing Agreement No. 146 (Agreement). This rule provides for a chemical analysis exemption for superior grade shelled peanuts and establishes a maximum grade tolerance for reconditioning failing peanuts by blanching. Finally, this rule adds addresses and updates contact numbers of chemical analysis laboratories. The changes concerning peanuts for human consumption are consistent with industry operating practices and help bring the non-signatory handling requirements into conformity with requirements specified in the Agreement. The rule should reduce the regulatory burden and handling costs on non-signatory peanut handlers.

DATES: Effective September 28, 1995. Comments received by October 30, 1995, will be considered prior to issuance of any final rule.

ADDRESSES: Interested persons are invited to submit written comments concerning this rule. Comments must be sent in triplicate to the Docket Clerk, Fruit and Vegetable Division, AMS, USDA, P.O. Box 96456, room 2523–S, Washington, D.C., 20090–6456, or Fax: (202) 720–5698. Comments should reference the docket number and the date and page number of this issue of the Federal Register and will be available for public inspection in the Office of the Docket Clerk during regular business hours.

FOR FURTHER INFORMATION CONTACT: Richard Lower, Marketing Order Administration Branch, Fruit and Vegetable Division, AMS, USDA, P.O.