

units and/or modify the number of Board members from units in order to reflect the geographic distribution of cattle production volume in the United States and the volume of cattle, beef, or beef products imported into the United States.

Section 1260.141(d) of the Order authorizes the Board to recommend to the Secretary modifications in the number of cattle per unit necessary for representation on the Board.

Section 1260.141(e)(1) provides that each geographic unit or State that includes a total cattle inventory equal to or greater than 500,000 head of cattle shall be entitled to one representative on the Board. Section 1260.141(e)(2) provides that States that do not have total cattle inventories equal to or greater than 500,000 head shall be grouped, to the extent practicable, into geographically-contiguous units, each of which have a combined total inventory of not less than 500,000 head. Such grouped units are entitled to at least one representative on the Board. Each unit that has an additional 1 million head of cattle within a unit qualifies for additional representation on the Board as provided in § 1260.141(e)(4). As provided in § 1260.141(e)(3), importers are represented by a single unit, with the number of Board members based on a conversion of the total volume of imported cattle, beef, or beef products into live animal equivalencies.

The initial Board appointed in 1986 was composed of 113 members. Reapportionment based on a 3-year average of cattle inventory numbers and import data, reduced the Board to 111 members in 1990 and 107 members in 1993.

The current Board representation by States or units has been based on an average of the January 1, 1990, 1991, and 1992 inventory of cattle in the various States as reported by the National Agricultural Statistics Service of the Department of Agriculture (USDA). Importer representation has been based on a combined total average of the 1989, 1990, and 1991 live cattle imports as published by the Foreign Agricultural Service (FAS) of USDA and the average of the 1989, 1990, and 1991 live animal equivalents for imported beef products.

Recommendations concerning Board reapportionment were approved by the Board at its July 24, 1995, meeting. In considering reapportionment, the Board reviewed cattle inventories as well as cattle, beef, and beef product import data for the period January 1, 1992, to January 1, 1995. The Board recommended that a 3-year average of cattle inventories and import numbers

should be continued. The Board determined that an average of the January 1, 1993, 1994, and 1995 USDA cattle inventory numbers would best reflect the number of cattle in each State or unit since the 1993 reapportionment.

The Board reviewed the March 1995 FAS circular, "U.S. Trade and Prospects, Dairy, Livestock, and Poultry," to determine proper importer representation. The Board recommended the use of a combined total of the average of the 1992, 1993, and 1994 cattle import data and the average of the 1992, 1993, and 1994 live animal equivalents for imported beef products. The method used to calculate the total number of live cattle equivalents was the same as that used in the previous reapportionment of the Board. The recommendation for importer representation is based on the most recent 3-year average of data available to the Board at its July 24, 1995, meeting to be consistent with the procedures used for domestic representation.

On September 8, 1995, AMS published in the Federal Register (60 FR 46781) for public comment a proposed rule providing for the adjustment in Board membership.

The Department did not receive any comments concerning the proposed rule. Thus, the reapportionment of the Board in this final rule is unchanged from the proposed rule. This final rule increases the number of representatives on the Board from 107 to 111. Two States—Iowa and Ohio—lose one member each; three States—Missouri, Montana, and South Dakota—gain one member each; Texas gains two members; and the importer unit gains one member. Nevada loses its only member. Nevada will be merged with Oregon, a contiguous State that has only one member, to form a Western unit. The combined cattle inventory of Nevada and Oregon will entitle the Western unit to two seats on the Board, thus enabling both States to be jointly represented. The States and units affected by the reapportionment plan and the current and revised member representation per unit are as follows:

States	Current representation	Revised representation
1. Iowa .....	5	4
2. Missouri .....	4	5
3. Montana .....	2	3
4. Ohio .....	2	1
5. South Dakota .....	3	4
6. Texas .....	13	15
7. Western .....	0	2
Nevada .....	1	.....
Oregon .....	1	.....

New Board representation for the entire 40 units is shown in the revised § 1260.141(a) contained herein. The new Board reapportionment will become effective with 1996 nominations and appointments.

This action makes final the provisions of the proposed rule published at 60 FR 46781 on September 8, 1995.

#### List of Subjects in 7 CFR Part 1260

Administrative practice and procedure, Advertising, Agricultural research, Imports, Marketing agreement, Meat and meat products, Reporting and recordkeeping requirements.

For reasons set forth in the preamble, 7 CFR part 1260 is amended as follows:

#### PART 1260—BEEF PROMOTION AND RESEARCH

1. The authority citation for 7 CFR part 1260 continues to read as follows:

Authority: 7 U.S.C. 2901 *et seq.*

2. In section 1260.141, paragraph (a) and the table immediately following it, are revised to read as follows:

##### § 1260.141 Membership of Board.

(a) For Board nominations and appointments beginning with those in 1996, the United States shall be divided into 39 geographical units and 1 unit representing importers, and the number of Board members from each unit shall be as follows:

##### CATTLE AND CALVES<sup>1</sup>

State/unit	(1,000 head)	Directors
1. Alabama .....	1,677	2
2. Arizona .....	863	1
3. Arkansas .....	1,837	2
4. California .....	4,617	5
5. Colorado .....	2,967	3
6. Florida .....	1,977	2
7. Georgia .....	1,477	1
8. Idaho .....	1,720	2
9. Illinois .....	1,813	2
10. Indiana .....	1,163	1
11. Iowa .....	4,183	4
12. Kansas .....	6,067	6
13. Kentucky .....	2,617	3
14. Louisiana .....	943	1
15. Michigan .....	1,210	1
16. Minnesota .....	2,750	3
17. Mississippi .....	1,353	1
18. Missouri .....	4,600	5
19. Montana .....	2,583	3
20. Nebraska .....	6,017	6
21. New Mexico .....	1,437	1
22. New York .....	1,503	2
23. North Carolina .....	1,063	1
24. North Dakota .....	1,857	2
25. Ohio .....	1,480	1
26. Oklahoma .....	5,333	5
27. Pennsylvania .....	1,783	2
28. South Carolina .....	513	1
29. South Dakota .....	3,833	4