

establishing the Committee's recommendation as the salable quantities and allotment percentages for the Scotch and Native classes of spearmint oil for the 1994-95 marketing year was published in the March 16, 1994, issue of the **Federal Register** [59 FR 12151].

At its June 14, 1994, teleconference meeting, the Committee unanimously recommended that the salable quantity and allotment percentage for Native spearmint oil for the 1994-95 marketing year be increased. The Committee recommended that the Native spearmint oil salable quantity be increased from 897,388 pounds to 1,092,577 pounds, and that the allotment percentage, based on a revised total allotment base of 1,951,032 pounds, be increased from 46 to 56 percent resulting in a 195,189 pound increase in the salable quantity.

An interim final rule incorporating the Committee's June 14, 1994, recommendation was published in the August 26, 1994, **Federal Register** [59 FR 44028]. Comments on the interim rule were solicited from interested

persons until September 26, 1994. No comments were received.

Pursuant to authority contained in §§ 985.50, 985.51, and 985.52 of the marketing order, at its October 5, 1994, meeting, the Committee recommended by a unanimous vote to increase the salable quantity and allotment percentage for Scotch spearmint oil. The Committee also recommended by a 10 to 1 vote to again increase the salable quantity and allotment percentage for Native spearmint oil. The person voting in opposition favored a smaller increase in the salable quantity and allotment percentage for Native spearmint oil.

Specifically, the Committee recommended that the salable quantities and allotment percentages for Scotch and Native classes of spearmint oil for the 1994-95 marketing year be increased from 723,326 pounds to 811,516 pounds, and from 1,092,577 pounds to 1,287,680 pounds, respectively. Based on a revised total allotment base of 1,763,795 pounds, the allotment percentage for Scotch spearmint oil was increased from 41 percent to 46 percent, resulting in an

88,190 pound increase in the salable quantity. Further, based on the same revised total allotment base published in the August 26, 1994, **Federal Register** [59 FR 44028] the allotment percentage for Native spearmint oil was increased from 56 percent to 66 percent, resulting in a 195,103 pound increase in the salable quantity.

An interim final rule incorporating the Committee's October 5, 1994, recommendation was published in the October 31, 1994, **Federal Register** [59 FR 54376]. Comments on the interim final rule were solicited from interested persons until November 30, 1994. No comments were received.

#### SCOTCH SPEARMINT OIL RECOMMENDATIONS

	Oct. 6, 1993	Oct. 5, 1994
(1) Salable Quantity .....	723,326	811,516
(2) Total Allotment Base .....	1,764,209	1,763,795
(3) Allotment Percentage ....	41	46

#### NATIVE SPEARMINT OIL RECOMMENDATIONS

	Oct. 6, 1993	June 14, 1994	Oct. 5, 1994
(1) Salable Quantity .....	897,388	1,092,577	1,287,680
(2) Total Allotment Base .....	1,950,843	1,951,032	1,951,032
(3) Allotment Percentage .....	46	56	66

In making this recommendation, the Committee considered all available information on supply and demand. As of October 5, 1994, the Committee reported that of the respective 1994-95 Scotch and Native spearmint oil salable quantities of 723,326 pounds and 1,092,577 pounds, approximately 116,000 pounds and 87,000 pounds, respectively, remained available for handling. Handlers indicated, however, that demand may approximate 200,000 pounds of Scotch spearmint oil, and 300,000 pounds of Native spearmint oil for the remainder of this marketing year. This level of demand was not anticipated by the Committee when it made its initial recommendation for the establishment of the Scotch and Native spearmint oil salable quantities and allotment percentages for the 1994-95 marketing year, nor was it foreseen when the Committee made its June 14, 1994, recommendation for an increase in the Native spearmint oil salable quantity and allotment percentage.

The recommended salable quantity of 811,516 pounds of Scotch spearmint oil (an increase of 88,190 pounds),

combined with the actual June 1, 1994, carry-in of 145,809 pounds, resulted in a revised 1994-95 available supply of 957,325 pounds. Similarly, the recommended salable quantity of 1,287,680 pounds of Native spearmint oil (an increase of 195,103 pounds), combined with the revised June 1, 1994, carry-in of 19,139 pounds, resulted in a revised 1994-95 available supply of 1,306,819 pounds. The revised available supplies of the Scotch and Native classes of spearmint oil, respectively, are approximately 67,000 pounds and 227,000 pounds higher than the respective annual average of sales for the past five years. The Committee anticipates that foreseeable demand for both classes of oil will be adequately met with the recommended increase.

The Department, based on its analysis of available information, has determined that allotment percentages of 46 percent and 66 percent, respectively, should be established for the Scotch and Native classes of spearmint oil for the 1994-95 marketing year. These percentages will provide an increased salable quantity of 811,516 pounds of Scotch spearmint oil

and an increased salable quantity of 1,287,680 pounds of Native spearmint oil.

Based on available information, the Administrator of the AMS has determined that 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, final, and interim final rules in connection with the establishment of the salable quantities and allotment percentages for the Scotch and Native classes of spearmint oil for the 1994-95 marketing year, the Committee's recommendation and other available information, it is found that finalizing the changes to section 985.213 that increased the salable quantities and allotment percentages for the Scotch and Native classes of 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.