

at §§ 2635.403(a) and 2635.803 as well as appendixes A, B and C.

#### Administrative Procedure Act

Pursuant to 5 U.S.C. 553(b) and (d), as Director of the Office of Government Ethics, I find good cause exists for waiving the general notice of proposed rulemaking and 30-day delay in effectiveness as to this further grace period extension. The notice and delayed effective date are being waived because this rulemaking concerns a matter of agency organization, practice and procedure. Furthermore, it is in the public interest that those agencies concerned have adequate time to promulgate successor provisions to another their existing standards of conduct regulations in these two areas without a lapse in necessary regulatory restrictions.

#### Executive Order 12866

In promulgating this grace period extension technical amendment, the Office of Government Ethics has adhered to the regulatory philosophy and the applicable principles of regulation set forth in section 1 of Executive Order 12866, Regulatory Planning and Review. This amendment has not been reviewed by the Office of Management and Budget under that Executive order, as it is not deemed "significant" thereunder.

#### Regulatory Flexibility Act

As Director of the Office of Government Ethics, I certify under the Regulatory Flexibility Act (5 U.S.C. chapter 6) that this rulemaking will not have a significant economic impact on a substantial number of small entities.

#### Paperwork Reduction Act

The Paperwork Reduction Act (44 U.S.C. chapter 35) does not apply because this rulemaking does not contain information collection requirements that require the approval of the Office of Management and Budget.

#### List of Subjects in 5 CFR Part 2635

Conflict of interests, Government employees.

Approved: December 14, 1995.

Stephen D. Potts,

*Director, Office of Government Ethics.*

Accordingly, pursuant to its authority under title IV of the Ethics in Government Act and Executive Order 12674/12731, the Office of Government Ethics is amending 5 CFR part 2635 as follows:

### PART 2635—[AMENDED]

1. The authority citation for part 2635 continues to read as follows:

Authority: 5 U.S.C. 7351, 7353; 5 U.S.C. App. (Ethics in Government Act of 1978); E.O. 12674, 54 FR 15159, 3 CFR, 1989 Comp., p. 215, as modified by E.O. 12731, 55 FR 42547, 3 CFR, 1990 Comp., p. 306.

2. The notes following both §§ 2635.403(a) and 2635.803 are amended by adding a new sentence at the end of each to read as follows:

Note: \* \* \* Provided still further, that for those agencies listed in appendix C to this part, the grace period for any such existing provisions shall be further extended until August 7, 1996 or until issuance by each individual agency concerned of a supplemental regulation, whichever occurs first.

3. A new appendix C is added at the end of part 2635 to read as follows:

#### Appendix C to Part 2635—Agencies Entitled to Another Further (Third) Grace Period Extension Pursuant to Notes Following §§ 2635.403(a) and 2635.803

1. Department of the Treasury
2. Department of Energy
3. Federal Energy Regulatory Commission
4. Department of the Interior
5. Department of Commerce
6. Department of Justice
7. Federal Communications Commission
8. Securities and Exchange Commission
9. Office of Personnel Management
10. Thrift Depositor Protection Oversight Board
11. United States Information Agency
12. Occupational Safety and Health Review Commission
13. Department of State
14. Department of Labor
15. National Science Foundation
16. Small Business Administration
17. Department of Health and Human Services
18. Department of Transportation
19. Pension Benefit Guaranty Corporation
20. Environmental Protection Agency
21. National Transportation Safety Board
22. General Services Administration
23. Board of Governors of the Federal Reserve System
24. National Labor Relations Board
25. Equal Employment Opportunity Commission
26. Department of Housing and Urban Development
27. National Archives and Records Administration
28. Peace Corps
29. Tennessee Valley Authority
30. Consumer Product Safety Commission
31. Executive Office of the President
32. Department of Agriculture
33. Federal Mine Safety and Health Review Commission

34. Agency for International Development
35. Social Security Administration

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## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

#### 7 CFR Part 923

[Docket No. FV94–923–1FR]

#### Sweet Cherries Grown in Designated Counties in Washington: Establishment of Minimum Size and Maturity Requirements for Rainier Variety Cherries

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Correction amendment.

**SUMMARY:** This docket contains a correction to the final regulation which was published Tuesday, June 21, 1994, (59 FR 31917). The final rule established a minimum size requirement of 11 row size (61/64 inch diameter) and a minimum maturity requirement of 17 percent soluble solids for Rainier variety cherries that can be shipped to fresh market outlets. The rule inadvertently omitted some regulatory text, and this action corrects those errors.

**EFFECTIVE DATE:** The correcting amendments are effective December 27, 1995.

**FOR FURTHER INFORMATION CONTACT:** Britthany E. Beadle, Marketing Specialist, Marketing Order Administration Branch, Fruit and Vegetable Division, AMS, USDA, room 2523–S., P.O. Box 96456, Washington, DC 20090–6456; telephone: (202) 720–5127 or FAX (202) 720–5698; or Teresa Hutchinson, Marketing Specialist, Northwest Marketing Field Office, Fruit and Vegetable Division, AMS, USDA, 1220 S.W. Third Avenue, room 369, Portland, OR 97204–2807; telephone: (509) 326–2724 or FAX (509) 326–7440.

#### SUPPLEMENTARY INFORMATION:

##### Background

The final regulation that is the subject of this correction inadvertently omitted several paragraphs of regulatory language which should be added. These paragraphs were omitted from the June 21, 1994, final rule (59 FR 31917) regulating minimum size and maturity requirements for Rainier variety cherries effective and resulted in an incomplete text of the regulatory requirements for the handling of cherries.