

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

#### 7 CFR Part 1210

[Docket No. FV-01-704-610 REVIEW]

#### Watermelon Research and Promotion Plan; Section 610 Review

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Review of the Watermelon Research and Promotion Plan.

**SUMMARY:** This action summarizes the results of a review of the Watermelon Research and Promotion Plan (Plan) by the U.S. Department of Agriculture's, (Department), Agricultural Marketing Service (AMS) under the criteria contained in section 610 of the Regulatory Flexibility Act (RFA). Based upon its review, AMS has determined that the Plan should be continued without change.

**ADDRESSES:** Interested persons may obtain a copy of the review. Requests for copies should be sent to the Docket Clerk, Research and Promotion, Fruit and Vegetable Programs, Agricultural Marketing Service, USDA, Stop 0244, Room 2535-S, 1400 Independence Avenue, SW., Washington, DC 20250-0244; telephone (202) 720-9915; Fax (202) 205-2800; or E-mail: [Daniel.manzoni@usda.gov](mailto:Daniel.manzoni@usda.gov).

**FOR FURTHER INFORMATION CONTACT:** Margaret Irby, Research and Promotion Branch, Fruit and Vegetable Programs, AMS, USDA, Stop 0244, 1400 Independence Avenue, SW., Room 2535-S, Washington, DC 20250-0244; telephone (202) 720-9915; Fax (202) 205-2800; or E-mail: [margaret.irby@usda.gov](mailto:margaret.irby@usda.gov).

**SUPPLEMENTARY INFORMATION:** The Plan [7 CFR Part 1210] is authorized under the Watermelon Research and Promotion Act (Act), as amended, [7 U.S.C. 4901-4916].

Under the Plan, the National Watermelon Promotion Board (Board) collects assessments on watermelons

produced in or imported into the United States to carry out coordinated programs of research, development, advertising, and promotion designed to strengthen, maintain, and expand domestic and foreign markets for watermelons.

AMS published in the **Federal Register** [63 FR 8014; February 18, 1999] its plan to review certain regulations, including the Plan, under the criteria contained in § 610 of the Regulatory Flexibility Act (RFA) [5 U.S.C. 601-612]. An updated Plan was published in the **Federal Register** on January 4, 2002 [67 FR 525].

AMS published a notice of review and request for written comments on the Plan in the March 17, 2000, issue of the **Federal Register** [65 FR 14485]. No written comments were received.

The review was undertaken to determine whether the Plan should be continued without change, amended, or rescinded (consistent with the objectives of the Act) to minimize the impacts on small entities. In conducting this review, AMS considered the following factors: (1) The continued need for the Plan; (2) the nature of complaints or comments received from the public concerning the Plan; (3) the complexity of the Plan; (4) the extent to which the Plan overlaps, duplicates, or conflicts with other Federal rules, and, to the extent feasible, with State and local governmental rules; and (5) the length of time since the Plan has been evaluated or the degree to which technology, economic conditions, or other factors have changed in the area affected by the Plan.

Currently, there are 2,200 producers, 620 handlers, and 280 importers covered under the Plan. Producers of less than 10 acres and importers of less than 150,000 pounds of watermelons annually are exempt.

AMS provides federal oversight of the watermelon research and promotion program. The Plan is not unduly complex, and AMS has not identified any federal rules, or State and local regulations that duplicate, overlap, or conflict with the Plan. Over the years, regulation changes have been made to address industry operation changes and to improve program administration. The goal of these evaluations is to assure that the Plan and the regulations implemented under it fit the needs of the industry and are consistent with the Act. With the exception of a challenge

concerning the constitutionality of assessments for promotion under the Plan, which the Department is currently defending, AMS has not received complaints about the Plan.

Based upon its review, AMS has determined that the Plan should be continued without change. AMS plans to continue working with the watermelon industry in maintaining an effective program.

Dated: September 22, 2003.

**A.J. Yates,**

*Administrator, Agricultural Marketing Service.*

[FR Doc. 03-24351 Filed 9-25-03; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Minerals Management Service

#### 30 CFR Part 206 and 210

RIN 1010-AD04

#### Federal Oil Valuation Proposed Rule

**AGENCY:** Minerals Management Service (MMS), Interior.

**ACTION:** Reopening of comment period.

**SUMMARY:** The MMS, an agency of the U.S. Department of the Interior, published on August 20, 2003, a Federal Oil Valuation Proposed Rule (68 FR 50087). This **Federal Register** document extends the comment period end date.

**DATES:** Submit written comments on or before November 10, 2003.

**ADDRESSES:** Address your comments and suggestions regarding this proposal to Sharron L. Gebhardt, Regulatory Specialist.

*By regular U.S. mail:* Minerals Management Service, Minerals Revenue Management, Records and Information Management Team, P.O. Box 25165, MS 320B2, Denver, Colorado 80225-0165; or

*By overnight mail or courier:* Minerals Management Service, Minerals Revenue Management, Building 85, Room A-614, Denver Federal Center, Denver, Colorado 80225; or

*By e-mail:* [MRM.comments@mms.gov](mailto:MRM.comments@mms.gov). Please submit Internet comments as an ASCII file and avoid the use of special characters and any form of encryption. Also, please include "Attn: 'Federal Oil Valuation Proposed Rule Comment'" and your name and return address in