

(c) *Reserve.* Unexpected assessment funds in excess of expenses incurred during the fiscal period ended February 29, 1976, be carried over as a reserve in accordance with the applicable provisions of § 917.38.

(d) *Terms.* Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order, and "No. 22D standard lug box" shall have the same meaning as set forth in Section 1380.19 of the California Code of Food and Agriculture.

It is hereby further found that good cause exists for not postponing the effective date hereof until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) shipments of the current crop of peaches are currently underway; (2) the relevant provisions of said amended marketing agreement and this part require that the rate of assessment fixed for a particular season be applicable to all fresh peaches handled from the beginning of such fiscal period; and (3) the fiscal period began March 1, 1976, and the rate of assessment herein fixed will automatically apply to all peaches beginning with such date.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: July 29, 1976.

CHARLES R. BRADER,
Acting Director, Fruit and
Vegetable Division, Agricultural
Marketing Service.

[FR Doc.76-22401 Filed 8-2-76;8:45 am]

PART 917—FRESH PEARS, PLUMS, AND PEACHES GROWN IN CALIFORNIA

Pear Commodity Committee Expenses and Rate of Assessment for the 1976-77 Fiscal Period

This document authorizes expenses of \$541,625 of the Pear Commodity Committee, under Marketing Order No. 917, for the 1976-77 fiscal period and fixes a rate of assessment of \$0.125 per box of pears. This assessment is to be paid to the committee by each handler as his pro rata share of expenses. It also authorizes the carryover, as a committee reserve, of unexpended assessment income from fiscal 1975-76.

A notice of rulemaking on this matter was published in the FEDERAL REGISTER (41 FR 26703) on June 29, 1976, regarding proposed expenses and the rate of assessment for the fiscal period beginning March 1, 1976, and ending February 28, 1977. The notice afforded interested persons opportunity to submit written data, views, or arguments on the proposal. None were received. This action is taken under the marketing agreement, as amended, and Order No. 917, as amended (7 CFR Part 917; 41 FR 17528), regulating the handling of fresh pears, plums, and peaches grown in California. This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

After consideration of all relevant matter presented, including that in the notice, the information and recommendation submitted by the Pear Commodity Committee (established under the marketing agreement and Order No. 917), and other available information, it is found and determined that the expenses and rate of assessment for that committee for the 1976-77 fiscal period and authorization to carryover unexpended assessment income from fiscal 1975-76 as a reserve shall be contained in a new § 917.214, hereinafter set forth.

It is further found that good cause exists for not postponing the effective time of this action until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) shipments of the current crop of pears are currently underway; (2) the relevant provisions of the amended marketing agreement and this part require that the rate of assessment fixed for a particular season be applicable to all fresh pears from the beginning of such fiscal period; and (3) the fiscal period began March 1, 1976, and the rate of assessment herein fixed will automatically apply to all such pears beginning with that date.

§ 917.214 Pear Commodity Committee expenses and rate of assessment.

(a) *Expenses.* Expenses that are reasonable and likely to be incurred during the fiscal period March 1, 1976, through February 28, 1977, will amount to \$541,625.

(b) *Rate of Assessment.* The rate of assessment for such fiscal period payable by each handler in accordance with § 917.37 is fixed at twelve and one-half cents (\$0.125) per No. 29B special lug box of pears, or its equivalent in other containers or in bulk.

(c) *Reserve.* Unexpended assessment funds in excess of expenses incurred during the fiscal period ended February 29, 1976, shall be carried over as a reserve in accordance with the applicable provisions of § 917.38.

(d) *Terms.* Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: July 29, 1976.

CHARLES R. BRADER,
Acting Director, Fruit and
Vegetable Division, Agricultural
Marketing Service.

[FR Doc.76-22400 Filed 8-2-76;8:45 am]

PART 917—FRESH PEARS, PLUMS, AND PEACHES GROWN IN CALIFORNIA

Plum Commodity Committee Expenses and Rate of Assessment for the 1976-77 Fiscal Period

This document authorizes expenses of \$813,650 of the Plum Commodity Committee, under Marketing Order No. 917, for the 1976-77 fiscal period and fixes a

rate of assessment of \$0.08 per lug box of plums. This assessment is to be paid to the committee by each handler as his pro rata share of expenses. It also authorizes the carryover by the committee, as a reserve, of unexpended assessment income from fiscal 1975-76.

A notice of rulemaking on this matter was published in the FEDERAL REGISTER (41 FR 25017) on June 22, 1976, in which expenses of \$848,650 and an assessment rate of \$0.075 per lug box of plums was proposed. On July 6, 1976, a notice of rulemaking was published in the FEDERAL REGISTER (41 FR 27735), to amend the original proposal so as to recommend expenses of \$813,650 and a rate of assessment of eight cents (\$0.08) per lug of plums. The notices afforded interested persons opportunity to submit written data, views, or arguments on the proposals. None were received.

This action is taken under the marketing agreement, as amended, and Order No. 917, as amended (7 CFR Part 917; 41 FR 17528), regulating the handling of fresh pears, plums, and peaches grown in California. This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

After consideration of all relevant matter presented, including that in the notices, the information and recommendations submitted by the Plum Commodity Committee (established under the marketing agreement and Order No. 917), and other available information, it is found and determined that the expenses and rate of assessment for that committee for the 1976-77 fiscal period and authorization to carry over the unexpended assessment income from fiscal 1975-76 as a reserve shall be contained in a new § 917.215, hereinafter set forth.

It is further found that good cause exists for not postponing the effective time of this action until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that: (1) Shipments of the current crop of plums are now underway; (2) the relevant provisions of the amended marketing agreement and this part require that the rate of assessment fixed for a particular fiscal period be applicable to all fresh plums from the beginning of such fiscal period, and (3) the fiscal period began March 1, 1976, and the rate of assessment herein fixed will automatically apply to all such plums beginning with that date.

§ 917.215 Plum Commodity Committee expenses and rate of assessment.

(a) *Expenses.* Expenses that are reasonable and likely to be incurred during the fiscal period March 1, 1976, through February 28, 1977, will amount to \$813,650.

(b) *Rate of Assessment.* The rate of assessment for such fiscal period payable by each handler in accordance with § 917.37 is fixed at eight cents (\$0.08) per No. 22D standard lug box of plums, or its equivalent in other containers or in bulk.

(c) *Reserve.* Unexpended assessment funds in excess of expenses incurred

during the fiscal period ended February 29, 1976, shall be carried over as a reserve in accordance with § 917.38.

(d) *Terms.* Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said marketing agreement and order.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: July 29, 1976.

CHARLES R. BRADER,
Acting Director, Fruit and Vegetable
Division, Agricultural
Marketing Service.

[FR Doc.76-22399 Filed 8-2-76;8:45 am]

[Docket No. AO-198-A8]

PART 989—RAISINS PRODUCED FROM GRAPES GROWN IN CALIFORNIA

Order Amending Order

FINDINGS AND DETERMINATIONS

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and each previously issued amendment thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon a proposed amendment of the marketing agreement, as amended, and Order No. 989, as amended (7 CFR Part 989), regulating the handling of raisins produced from grapes grown in California.

Upon the basis of the record it is found that:

(1) The order, as amended, and as hereby further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The order, as amended, and as hereby further amended, regulates the handling of raisins produced from grapes grown in the production area in the same manner as, and is applicable only to persons in the respective classes of commercial and industrial activity specified in, the marketing agreement and order¹ upon which hearings have been held;

(3) The order, as amended, and as hereby further amended, is limited in its application to the smallest regional production area which is practicable, consistently with carrying out the declared policy of the act, and the issuance of several orders applicable to subdivisions of the production area would not effectively carry out the declared policy of the act;

(4) There are no differences in the production and marketing of raisins produced from grapes grown in the production area which make necessary different terms and provisions applicable to different parts of such area; and

(5) All handling of raisins produced from grapes grown in the production area is in the current of interstate or foreign commerce or directly burdens, obstructs, or affects such commerce.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order, as amended, effective not later than August 4, 1976. Any delay beyond that date would tend to disrupt the orderly marketing of raisins produced from grapes grown in California. The amendatory order moves the beginning date of the crop year from September 1 to August 1. Thus, the 1976-77 crop year begins August 1, 1976. The provisions of this amendatory order should become effective as soon as practicable following their publication in the FEDERAL REGISTER (which will occur after August 1, 1976) so that they are applicable before raisins are handled in volume during the 1976-77 crop year. Some provisions of the amendatory order may require rulemaking and, therefore, should be made effective in time to enable the Raisin Administrative Committee to make such considerations before active raisin harvesting starts.

In view of the foregoing, it is hereby found and determined that good cause exists for making this order effective August 4, 1976, and that it would be contrary to the public interest to delay the effective date of this order for 30 days after its publication in the FEDERAL REGISTER (Sec. 553(d), Administrative Procedure Act, 5 U.S.C. 551-559).

(c) *Determinations.* It is hereby determined that:

(1) The "Marketing Agreement, as Amended, Regulating the Handling of Raisins Produced from Grapes Grown in California" upon which the aforesaid public hearing was held has been signed by handlers (excluding cooperative associations of producers who are not engaged in processing, distributing, or shipping raisins covered by the said order, as amended, and as hereby further amended who, during the period August 1, 1975 through April 30, 1976, handled not less than 50 percent of the volume of such raisins covered by the said order, as amended, and as hereby further amended, and

(2) The issuance of this amendatory order, amending the aforesaid order, as amended, is favored or approved by at least two-thirds of the producers who participated in a referendum on the question of its approval and who during the period August 1, 1975 through April 30, 1976 (which has been deemed to be a representative period), have been engaged within the State of California, in the production of grapes which were sundried or dehydrated by artificial means until they became raisins for market, such producers having also produced for market at least two-thirds of the volume

of such commodity represented in the referendum.

ORDER RELATIVE TO HANDLING

It is therefore ordered, That on and after the effective date hereof, the handling of raisins, shall be in conformity to and in compliance with the terms and conditions of the said order, as amended, and as hereby further amended, as follows:

1. Section 989.18 is revised to read:

§ 989.18 Committee.

"Committee" means the Raisin Administrative Committee established under § 989.26.

2. Section 989.19 is revised to read:

§ 989.19 Executive Operations Committee.

"Executive Operations Committee" means the Executive Operations Committee established under § 989.43.

3. Section 989.21 is revised to read:

§ 989.21 Crop year.

"Crop year" means the 12-month period beginning with August 1 of any year and ending with July 31 of the following year.

4. Section 989.22 is amended to read:

§ 989.22 District.

"District" means any one of the geographical areas referred to in §§ 989.26 or 989.43, and specified in § 989.96.

5. The center heading, "Raisin Advisory Board" appearing between §§ 989.25 and 989.26 is changed to read, "Raisin Administrative Committee".

6. Section 989.26 is amended to read:

§ 989.26 Establishment and membership.

A Raisin Administrative Committee is hereby established consisting of 47 members, of whom 35 shall represent producers, nine shall represent handlers, one shall represent dehydrators, one shall represent the cooperative bargaining association(s), and one shall be a public member. The producer members shall be selected in the number and for the districts as designated in § 989.96, or as such number or districts may be authorized pursuant to § 989.26a. The handler members shall include the following:

(a) One member selected from and representing handlers doing business as cooperative marketing associations or cooperative marketing organizations engaged in the business of packing raisins, each of which acquired not less than 10 percent of the total raisin acquisitions during the 12-month period preceding the then current crop year;

(b) Two members selected from and representing the three handlers, other than cooperatives, who acquired the largest percentages of the total raisin acquisitions during the 12-month period preceding the then current crop year;

(c) Two members selected from and representing the three handlers, other than cooperatives, who acquired the next largest percentages of the total raisin

¹ Text of the marketing agreement filed as part of the original document.

acquisitions during the 12-month period preceding the then current crop year;

(d) Two members selected from and representing the four handlers, other than cooperatives, who acquired the next largest percentages of the total raisin acquisitions during the 12-month period preceding the then current crop year; and

(e) Two members selected from and representing all other handlers, including cooperatives, each of which acquired less than 10 percent of the total raisin acquisitions during the 12-month period preceding the then current crop year, and including all processors.

The dehydrator member shall be selected from dehydrators as provided in § 989.29(b) (4). The bargaining association member shall be selected from the cooperative bargaining association(s). The public member shall be nominated by the committee and selected by the Secretary as a public member. For each member of the committee there shall be an alternate member who shall have the same qualifications as the member for whom he is an alternate.

7. Section 989.26a is amended to read:
§ 989.26a Changes in producer representation.

The Secretary, on recommendation of the committee, may change the total number of producer members on the committee, may change the number of districts designated in § 989.96, may redefine such districts into which the production area is divided, or may change the number of producer members which shall be selected to represent particular districts. In making any such change consideration shall be given to such factors as geographical shifts in the numbers of producers and in raisin production within the area.

8. Section 989.26b is amended to read:
§ 989.26b Changes in handler representation.

The Secretary, on recommendation of the committee, may change the total number of handler members on the committee, the handler size groups set forth in § 989.26 from which handler members shall be selected, the number of handlers comprising any such size group, or the number of handler members to represent any such size group. In making any such change, consideration shall be given to such factors as changes in the numbers of handlers, relative raisin acquisition positions of handlers, and their similarity of interests in the handling of raisins.

9. Section 989.26c is amended to read:
§ 989.26c Changes in dehydrator representation.

The Secretary, on recommendation of the committee, may change the number of dehydrator members on the committee or may discontinue dehydrator representation on the committee. In making any such change or discontinuing dehydrator representation, consideration shall be given to such factors as total

number of dehydrators currently operating, the number of dehydrators operated by raisin packers, and the extent to which the interest of dehydrators is adequately served by other members on the committee.

10. Section 989.27 is amended to read:
§ 989.27 Eligibility.

No person shall be selected or continue to serve as a member or alternate member of the committee who is not actively engaged in the business of the group which he represents, either in his own behalf, or as an officer, agent, or employee of a business unit engaged in such business: Provided, That, any handler eligible to represent a particular size group shall continue to represent for the entire term the size group for which he was selected. The committee shall certify during April of each crop year each member's and alternate member's eligibility to continue to serve on the committee.

11. Section 989.28 is amended to read:
§ 989.28 Term of office.

(a) *Producer members.* The term of one-third or approximately one-third of the producer members and producer alternate members of the committee shall end on April 30 each year, but each such member and alternate member shall continue to serve until his respective successor is selected and has qualified. The producer members and producer alternate members of the committee shall serve for terms of 3 years beginning May 1 and ending April 30 of the third following year.

(b) *Handler, dehydrator, cooperative bargaining association and public members.* The handler, dehydrator, cooperative bargaining association and public members, and their respective alternates, shall each serve for terms of 1 year, beginning May 1 and ending April 30 of the following year, but each shall continue to serve until his respective successor is selected and has qualified.

12. Section 989.29 is amended to read:
§ 989.29 Initial members and nomination of successor members.

(a) *Initial members.* Members and alternate members of the Raisin Advisory Board serving immediately prior to the effective date of this amended subpart shall, if thereafter they are also eligible, serve on the committee for their specified terms of office and until their respective successors have been selected and have qualified.

(b) *Nomination for successor members.* Nominations for successor members and alternate members of the committee shall be made as set forth in subparagraphs (1) to (6) of this paragraph.

(1) The committee shall give reasonable publicity of a meeting or meetings of producers, handlers and dehydrators, and if applicable, cooperative bargaining association(s), for the purpose of making nominations for member and alternate member positions to be filled on the committee: *Provided, That with*

respect to producer members and producer alternate members, a meeting or meetings shall be held in each district for which nominations are to be made to fill producer member and producer alternate member positions on the committee: *And provided further, That member and alternate member nominations of handlers, dehydrators, and cooperative bargaining association(s) may be made to the committee by mail in lieu of meetings.*

(2) Only producers as defined in § 989.11, engaged as such with respect to the most recent grape crop in the particular districts for which nominations are to be made, may nominate, or vote for, any producer member or producer alternate member for such district. Any producer so engaged with respect to the most recent grape crop in the particular district for which nominations are to be made, may be nominated to represent said district as a producer member or producer alternate member of the committee; in the event any of such nominees are engaged as producers in more than one district, he may be a nominee for only one district. One or more eligible producers for each producer member position to be filled on the committee may be proposed for nomination and one or more eligible producers for each alternate member position to be filled may be proposed for nomination. Each producer shall cast only one vote with respect to each position for which nomination is to be made. The person receiving a majority of the votes with respect to each producer member or producer alternate member position shall be the person to be certified to the Secretary as the nominee for each such position. In the event no person receives a majority, there shall be a runoff vote between the two persons receiving the largest number of votes. The eligibility of each producer voting in a nomination meeting shall be certified by the committee, during or after the meeting, and, in the event one or more who voted was not eligible and this may have affected the result of any nomination vote, another meeting with respect to such nomination shall be held.

(3) Only handlers who packed or processed raisins during the then current crop year may nominate, or vote for, handler members or handler alternate members. One or more eligible handlers for each handler member position to be filled may be proposed for nomination and one or more eligible handlers for each alternate member position to be filled on the committee may be proposed for nomination. Nominations by each of the handler groups specified in § 989.26 or pursuant to § 989.26b, shall be made by and from handlers, or employees, representatives, or agents of handlers falling within such groups. Each handler shall cast only one vote with respect to each position for which nomination is to be made: *Provided, That only handlers coming within the particular group, as specified in § 989.26 or pursuant to § 989.26b, as applicable, for which nomination is to be made, shall vote. The per-*

son receiving the most votes with respect to each handler member or handler alternate member position shall be the person to be certified to the Secretary as the nominee for each such position.

(4) Only dehydrators who produced raisins by dehydrating grapes during the then current crop year may nominate, or vote for, dehydrator members or dehydrator alternate members. One or more eligible dehydrators for each dehydrator member position to be filled on the committee may be proposed for nomination, and one or more eligible dehydrators for each alternate member position may be proposed for nomination. Each dehydrator shall cast only one vote with respect to each position for which nomination is to be made. The person receiving the most votes with respect to each dehydrator member or dehydrator alternate member position shall be the person to be certified to the Secretary as the nominee for each such position.

(5) Each vote cast shall be on behalf of the person voting, his agents, subsidiaries, affiliates, and representatives. Voting at each meeting shall be in person. The result of each ballot at each such meeting shall be announced at that meeting. Voting at each meeting of producers shall be by secret ballot, and at each meeting of handlers, and dehydrators, voting may be by secret ballot.

(6) Each such nomination shall be certified by the committee to the Secretary on or before April 5 immediately preceding the commencement of the term of office of the member or alternate member position for which the nomination is certified.

13. Section 989.30 is amended to read:

§ 989.30 Selection.

The Secretary shall select producer, handler, dehydrator, cooperative bargaining association and public members and alternate members in the numbers specified in § 989.26 or pursuant to §§ 989.26a, 989.26b, or 989.26c, as applicable, and with the qualifications specified in § 989.27. Such selections may be made from nominations certified pursuant to § 989.29 or from other eligible producers, handlers, dehydrators, or cooperative bargaining association officers or employees.

14. Section 989.31 is amended to read:

§ 989.31 Failure to nominate.

In the event nomination for a member or alternate member position on the committee is not certified pursuant to and within the time specified in § 989.29, the Secretary may select an eligible person to fill such position without regard to nomination.

15. Section 989.32 is amended to read:

§ 989.32 Acceptance.

Each person selected by the Secretary as a member or as an alternate member of the committee shall, prior to serving on the committee qualify by filing with the Secretary a written acceptance within 10 calendar days after being notified of his selection.

16. Section 989.33 is amended to read:

§ 989.33 Alternate members.

The alternate for a member of the committee shall act in the place and stead of such member (a) during his absence, and (b) in the event of his removal, resignation, disqualification, or death, until a successor for such member's unexpired term has been selected and has qualified.

17. Section 989.34 is amended to read:

§ 989.34 Vacancies.

To fill any vacancy occasioned by the failure of any person selected as a member or as an alternate member of the committee to qualify, or in the event of the removal, resignation, disqualification, or death of any member or alternate member, a successor for such person's unexpired term shall be nominated and selected in the manner set forth in §§ 989.29 and 989.30, insofar as such provisions are applicable. If nomination to fill any vacancy is not filed within 40 calendar days after such vacancy occurs, the Secretary may select an eligible person to fill such vacancy without regard to nomination.

18. Section 989.35 is amended to read:

§ 989.35 Powers.

The committee shall have the following powers:

(a) To administer the terms and provisions of this part;

(b) To make rules and regulations to effectuate the terms and provisions of this part; and

(c) To recommend to the Secretary amendments to this part.

19. Section 989.36 is amended to read:

§ 989.36 Duties.

The committee shall have, among others, the following duties:

(a) To act as intermediary between the Secretary and any producer, packer, dehydrator, processor or cooperative bargaining association;

(b) To keep minutes, books, and other records, which shall clearly reflect all of its acts and transactions, and such minutes, books, and other records shall be subject to examination by the Secretary at any time;

(c) To investigate and assemble data on the production, handling and market conditions with respect to raisins;

(d) To submit to the Secretary such available information with respect to raisins and grapes as he may request, and such other information as the committee may deem desirable and pertinent;

(e) To select from among its members a chairman and other officers, and to adopt such rules and regulations for the conduct of its business as it may deem advisable;

(f) To appoint or employ such other persons as it may deem necessary, and to determine the salaries and define the duties of each such person;

(g) To cause the books of the committee to be audited by certified public accountants at least once each year, or at

such other times as the committee may deem necessary or as the Secretary may request, and the report of each such audit shall show, among other things, the receipts and expenditures of funds, and at least two copies of each such audit shall be submitted to the Secretary;

(h) To prepare quarterly statements of its financial operations and make such statements, together with the minutes of its meetings, available at the office of the committee for inspection by producers, handlers and dehydrators;

(i) To give reasonable advance notice of the times, places, and purposes of its meetings by mail or other appropriate means to each member and alternate member and such notice shall be given as widespread publicity as is practicable.

(j) To conduct meetings for the purpose of making nominations for membership on the committee and the certifying of nominations made for such purposes to the Secretary, and the making of nominations to the Secretary for member and alternate member positions on the Executive Operations Committee; and

(k) To establish, with the approval of the Secretary, such rules and procedures relative to administration of this subpart as may be consistent with the provisions contained in this subpart and as may be necessary to accomplish the purposes of the act and the efficient administration of this subpart.

20. Section 989.37 is revised to read:

§ 989.37 Obligation.

Upon the removal, resignation, disqualification, or expiration of the term of office of any member or alternate member, such member or alternate member shall account for all receipts and disbursements and deliver to his successor, to the committee, or to a designee of the Secretary all property (including, but not limited to, all books and records) in his possession or under his control as member or alternate member, and he shall execute such assignments and other instruments as may be necessary or appropriate to vest in such successor, committee, or designee full title to such property and funds, and all claims vested in such member or alternate member. Upon the death of any member or alternate member of the committee, full title to such property, funds, and claims vested in such member or alternate member shall be vested in his successor or, until such successor has been selected and has qualified, in the committee.

21. The center heading "Raisin Administrative Committee" appearing between §§ 989.37 and 989.39 is deleted.

22. A new § 989.38 is added, reading as follows:

§ 989.38 Procedure.

The committee shall meet at the call of its chairman or its vice-chairman when acting as chairman, or at the call of any three members. Except as otherwise provided in § 989.45, all decisions of the committee reached shall be by majority vote of the members present. All

votes shall be cast in person and a quorum must be present. The presence of 25 members shall be required to constitute a quorum. The Secretary, on recommendation of the committee, may change the quorum requirements if warranted by a change made pursuant to § 989.26a in the total number of producer members on the committee or by a change made pursuant to § 989.26b in the total number of handler members on the committee, or by a change made pursuant to § 989.26c in the total number of dehydrator members on the committee. The committee shall give to the Secretary the same notice of meetings of the committee as it gives to its members.

23. Section 989.39 is revised to read:

§ 989.39 Compensation and expenses.

The members of the Committee and the Executive Operations Committee, and the alternate members when acting as members, shall serve without compensation but shall be allowed their necessary expenses as approved by the committee. Whenever specifically authorized in advance by the committee, or when requested to attend due to the anticipated absence of a member, an alternate member of the committee shall be reimbursed for reasonable expenses incurred by him in attending not to exceed three committee meetings per crop year when the committee member for whom he serves as alternate also attends such meetings.

§§ 989.39a—989.42 [Deleted]

- 24. Section 989.39a is deleted.
- 25. Section 989.39b is deleted.
- 26. Section 989.39c is deleted.
- 27. Section 989.40 is deleted.
- 28. Section 989.41 is deleted.
- 29. Section 989.42 is deleted.
- 30. A center heading "Executive Operations Committee" is added between §§ 989.42 and 989.43.

31. Section 989.43 is revised to read:

§ 989.43 Establishment and membership.

An Executive Operations Committee is hereby established to receive, investigate, and report to the Secretary, complaints of violations of this part and to perform such functions as assigned by the committee. Any action of the Executive Operations Committee is subject to disapproval by the committee. The Executive Operations Committee shall consist of 15 members, of whom eight shall represent producers, five shall represent handlers, one shall represent dehydrators and one shall represent the cooperative bargaining association(s). The producer members shall be selected to represent such district or group of districts as the committee may establish with the approval of the Secretary. Of the five handler members, one shall be selected from and represent each of the following divisions:

- (a) The handlers doing business as cooperative marketing associations, or cooperative marketing organizations engaged in the business of packing raisins, each of which acquired not less than 10 percent of the total raisin ac-

quisitions during the 12-month period preceding the then current crop year;

(b) The three handlers, other than cooperatives, who acquired the largest percentages of total raisin acquisitions during the 12-month period preceding the then current crop year;

(c) The three handlers, other than cooperatives, who acquired the next largest percentages of total raisin acquisitions during the 12-month period preceding the then current crop year;

(d) The four handlers, other than cooperatives, who acquired the next largest percentages of total raisin acquisitions during the 12-month period preceding the then current crop year; and

(e) All other handlers, including cooperatives, each of which acquired less than 10 percent of the total raisin acquisitions during the 12-month period preceding the then current crop year, and including all processors. For each member of the Executive Operations Committee, there shall be an alternate member who shall have the same qualifications as the member for whom he is an alternate.

32. A new § 989.43a is added, reading as follows:

§ 989.43a Changes in producer representation.

The Secretary, on recommendation of the committee, may change the total number of producer members on the Executive Operations Committee and may change the number of producer members which shall be selected to represent particular districts or groups of districts. In making any such change consideration shall be given to such factors as changes in producer and handler membership on the committee, representation of the several producing districts, maintenance of producer positions as majority of the Executive Operations Committee, and geographical shifts in the number of producers and in raisin production within the area.

33. A new § 989.43b is added, reading as follows:

§ 989.43b Changes in handler representation.

The Secretary, on recommendation of the committee, may change the total number of handler members on the Executive Operations Committee, the handler size groups set forth in § 989.43 from which handler members shall be selected, the number of handlers comprising any such size group, or the number of handler members to represent any such size group. In making any such change, consideration shall be given to such factors as changes in the numbers of handlers, relative raisin acquisition position of handlers, and their similarities of interest in the handling of raisins.

34. A new § 989.43c is added, reading as follows:

§ 989.43c Changes in dehydrator representation.

The Secretary, on recommendation of the committee, may change the number of dehydrator members on the Executive

Operations Committee or may discontinue dehydrator representation on the Executive Operations Committee. In making any such change or discontinuing dehydrator representation, consideration shall be given to such factors as total number of dehydrators currently operating, the number of dehydrators operated by raisin packers, and the extent to which the interest of dehydrators is adequately served by other members on the Executive Operations Committee.

35. Section 989.44 is revised to read:

§ 989.44 Term of office.

Members and alternate members of the Executive Operations Committee shall each serve for terms of one year, beginning on June 1, and ending on May 31 of the following year but each such member and alternate member shall continue to serve until his respective successor is selected and has qualified.

36. Section 989.45 is revised to read:

§ 989.45 Nomination.

(a) *Producer members.* The producer members of the committee, and producer alternate members when acting as members, shall nominate from among the producer members and producer alternate members of the committee the required number of persons for producer member positions on the Executive Operations Committee and an alternate for each person.

(b) *Handler members.* The handler members of the committee and handler alternate members when acting as members, shall nominate from among the handler members and alternate members of the committee, the required number of persons for handler member positions on the Executive Operations Committee, and an alternate for each such person. Nomination for such handler members shall be made by and from handlers, employees, representatives or agents of handlers falling within each such group.

(c) *Dehydrator member.* The dehydrator member and alternate member on the committee shall be the dehydrator nominees for member and alternate member on the Executive Operations Committee.

(d) *Cooperative bargaining association member.* The cooperative bargaining association(s) member and alternate member on the committee shall be the association nominees for member and alternate member of the Executive Operations Committee.

(e) *Initial members.* Members and alternate members of the Raisin Administrative Committee serving immediately prior to the effective date of this amended subpart shall, if thereafter they are also eligible, continue to serve on the Executive Operations Committee as the initial members and alternate members for their specified terms of office and until their respective successors have been selected and have qualified.

(f) *Successor members.* Nominations for successor members and alternate members of the Executive Operations Committee shall be certified by the com-

mittee to the Secretary annually within 30 days following the selection by the Secretary of committee members.

37. Section 989.46 is revised to read:
§ 989.46 Selection.

The Secretary shall select producer, handler, dehydrator, and cooperative bargaining association members and alternate members of the Executive Operations Committee in the numbers specified in § 989.43. Such selections may be made from the nominations certified pursuant to § 989.45, or from any other eligible producers, handlers, dehydrators, or cooperative bargaining association officers or employees.

38. Section 989.47 is revised to read:
§ 989.47 Failure to nominate.

In the event nomination for a member or alternate member position on the Executive Operations Committee is not certified pursuant to and within the time specified in § 989.45, the Secretary may select an eligible person to fill such position without regard to nomination.

39. Section 989.48 is revised to read:
§ 989.48 Acceptance.

Each person selected by the Secretary as a member or as an alternate member of the Executive Operations Committee shall, prior to serving, qualify by filing with the Secretary a written acceptance within 10 calendar days after being notified of such selection.

40. Section 989.49 is revised to read:
§ 989.49 Alternate members.

An alternate for a member of the Executive Operations Committee shall act in the place and stead of such member (a) during his absence, and (b) in the event of his removal, resignation, disqualification, or death until a successor for such member's unexpired term has been selected and has qualified.

41. Section 989.50 is revised to read:
§ 989.50 Vacancies.

To fill any vacancy occasioned by the failure of any person selected as a member or as an alternate member of the Executive Operations Committee to qualify, or in the event of the removal, resignation, disqualification, or death of any member or alternate member, a successor for such person's unexpired term shall be nominated and selected in the manner set forth in §§ 989.45 and 989.46, insofar as such provisions are applicable. If nomination to fill any such vacancy is not filed within 40 calendar days after such vacancy occurs, the Secretary may select an eligible person to fill such vacancy without regard to nomination.

42. Section 989.51 is revised to read:
§ 989.51 Powers.

The Executive Operations Committee shall have the power to receive, investigate, and report to the Secretary, complaints of violations of this part.

43. Section 989.52 is revised to read:
§ 989.52 Duties.

The Executive Operations Committee shall have the following duties: (a) To investigate compliance with and to use means available to it to prevent violation of the provisions of this part; and (b) to perform such other functions as assigned by the committee.

44. Section 989.54 is revised to read:
§ 989.54 Marketing policy.

(a) *Free tonnage.* On or before August 15 of each crop year, the committee shall review shipment data, inventory data, and other matters relating to the quantity of raisins of all varietal types. For any varietal type for which a free tonnage percentage may be recommended, the quantity of free tonnage shall be 90 percent of the prior crop year's free tonnage shipments for that varietal type, adjusted by the physical year-end carry-in inventory. The desirable carry-in inventory on August 1 for natural Thompson Seedless raisins shall be a minimum of 35,000 tons. This free tonnage quantity shall be made known by the committee in accordance with paragraph (f) of this section. In years following limited free tonnage shipments, the committee may use the highest shipments of any one of the prior three years as a base to determine the free tonnage.

(b) *Free and reserve percentages.* On or before October 5 of each crop year (except that this date may be extended by the committee not more than 5 days if warranted by a late crop) the committee shall submit to the Secretary an estimate of raisin production of any varietal type for which a free tonnage quantity has been computed by the committee. If the committee determines that a field price is firmly established on any varietal type of raisin for which a free tonnage has been computed, it shall recommend a preliminary free tonnage percentage to the Secretary which, when applied to the estimated production of that varietal type, would release 85 percent of the free tonnage for such varietal type. If the committee determines that a field price is not firmly established, it shall recommend a preliminary free tonnage percentage to the Secretary which would release 65 percent of the free tonnage for such varietal type. No later than February 15, the committee shall recommend to the Secretary a free tonnage percentage which will tend to release the full free tonnage for any varietal type. Prior to February 15, interim changes of percentages may be recommended by the committee to the Secretary to release less than the full free tonnage for any varietal type. The difference between any free tonnage percentage designated and 100 percent shall be the reserve tonnage percentage. In developing its free and reserve percentages for any varietal type, the committee shall consider and report to the Secretary on the following factors:

(1) The estimated tonnage held by producers, handlers, and for the account of the committee at the beginning of the crop year;

(2) The expected general quality and any modifications of the minimum grade standards;

(3) The estimated tonnage of standard and offgrade raisins which will be produced;

(4) If different than the free tonnage, the estimated trade demand for raisins in free tonnage outlets;

(5) An estimated desirable carryout at the end of the crop year for free tonnage and, if applicable, for reserve tonnage;

(6) The estimated market requirements for raisins outside free tonnage outlets, considering the estimated world raisin supply and demand situation;

(7) Current prices being received and the probable general level of prices to be received for raisins by producers and handlers;

(8) The trend and level of consumer income;

(9) Any prohibition of trade practices, pursuant to § 989.62, intended for the crop year; and

(10) Any other pertinent factors bearing on the marketing of raisins including the estimated supply of and demand for other varietal types and regulations applicable thereto.

(c) *Modification.* In the event the committee subsequently deems it advisable to modify its marketing policy on any crop, because of national emergency, crop failure or other major change in economic conditions, it shall hold a meeting for that purpose, and file a report thereof with the Secretary within 5 days (exclusive of Saturdays, Sundays, and holidays) after the holding of such meeting, which report shall show such modification, the basis therefor, as well as the recommendation of the committee.

(d) *Reserve tonnage to sell as free tonnage.* On or before November 15 of the crop year, the committee shall offer to handlers a quantity of reserve tonnage raisins. One offer shall consist of a quantity equal to 10 percent of the prior year's shipments of free tonnage to equate the current year's supply with the prior year's shipments. This offer shall be allocated to handlers on the basis of their prior year's acquisitions. At the same time, the second offer shall consist of a quantity equal to 10 percent of the prior year's shipments of free tonnage for market expansion. The offer shall be allocated to handlers on the basis of their prior year's shipment of free tonnage. Each offer shall be open to handlers not more than five business days, and subsequently, two reoffers of any tonnage unsold in the original offers open not more than two business days each, may be made. The reoffer tonnage shall be allocated to handlers who purchase 100 percent of their allocation in preceding offers and shall be on the basis of the quantity each handler purchased as a

percentage of the total allocation of all handlers eligible to participate. At the close of the second offer any remaining tonnage may be offered to handlers purchasing all of their previous allocations on a first-come, first-served basis and such offer shall be open to handlers for two business days. Any handler who had no shipments or acquisitions of raisins during the prior crop year would be allocated raisins under these offers on the basis of his acquisitions (up to the time the first offer is made) of raisins in the current crop year. If field prices are not established on or before November 15, the offers shall be made not more than 15 days following such establishment. The price of reserve tonnage raisins offered to handlers to sell as free tonnage under this section shall be the established field price for free tonnage raisins of the applicable varietal type, plus estimated costs to equity holders incurred by the committee, plus 3 percent of the established field price for free tonnage raisins of the applicable varietal type.

(e) *Verbatim record.* The committee shall file with its report to the Secretary a verbatim record of that portion of its meeting or meetings relating to its marketing policy.

(f) *Publicity.* The committee shall promptly give reasonable publicity to producers, dehydrators, handlers, and the cooperative bargaining association(s) of each meeting to consider a marketing policy or any modification thereof, and each such meeting shall be open to them. Similar publicity shall be given to producers, dehydrators, handlers, and the cooperative bargaining association(s) of each marketing policy report or modification thereof, filed with the Secretary and of the Secretary's action thereon. Copies of all marketing policy reports shall be maintained in the office of the committee, where they shall be made available for examination by any producer, dehydrator, handler, or cooperative bargaining association representative. The committee shall notify handlers, dehydrators, and cooperative bargaining association(s) of the Secretary's action on percentages by registered or certified mail.

§ 989.66 [Amended]

45. The word "desirable" appearing in the first sentence of § 989.66(g) is deleted.

46. Paragraph (a), the second sentence of paragraph (c), the first sentence of paragraph (d)(1), the first sentence of paragraph (f), and the first sentence of paragraph (j) of § 989.67 are amended to read:

§ 989.67 Disposal of reserve raisins.

(a) At the time the committee meets to consider free and reserve percentages for a crop year, the committee shall consider the marketing of reserve tonnage raisins for the subsequent 12-month period. The committee shall dispose of all reserve tonnage in such manner as to achieve, as nearly as may be practicable, maximum disposal of such raisins by the time reserve tonnage raisins from the

subsequent crop year are available. Any reserve tonnage raisins held unsold by the committee on May 1 of the subsequent crop year shall be physically disposed of promptly in any available outlet not competitive with normal market channels for free tonnage raisins or sales of new crop reserve tonnage raisins in export: *Provided*, That, whenever the Secretary finds, based upon a recommendation of the committee, or on the basis of information otherwise available to him that because of national emergency, crop failure, an insufficient supply of reserve tonnage raisins for export, or other change of economic or marketing conditions, retention of reserve tonnage raisins carried over is warranted, the foregoing requirements as to disposal shall not apply and such raisins may be disposed of in any outlet recommended by the committee and approved by the Secretary.

(c) * * * The list of countries shall be reviewed by the committee annually when it reviews matters relating to the free tonnage, and shall recommend any changes in the list to the Secretary for approval. * * *

(d)(1) Reserve tonnage raisins shall be sold to handlers at prices and in a manner intended to maximize producer returns and achieve maximum disposition of such raisins by the time reserve tonnage raisins from the subsequent crop year are available. * * *

(f) Whenever the committee concludes that the orderly disposition of reserve tonnage would be promoted by the committee replacing any portion or all of handlers' export shipments of free tonnage raisins, to other than free tonnage outlets, made prior to the committee's first offer to sell reserve tonnage, it may do so and may specify such requirements and conditions as are necessary to carry out the replacement consistent with the objectives of this amended subpart. * * *

(j) The committee shall not sell reserve tonnage raisins of any varietal type to handlers to provide them with raisins to sell as free tonnage, other than as provided in § 989.54, unless it files with the Secretary complete information and receives from the Secretary notice that he does not disapprove of such sale and that because of: National emergency, crop failure; change of economic or marketing conditions; free tonnage shipments during the then current crop year exceeding shipments of a comparable period of the prior crop year by more than 5 percent: *Provided*, That, such sale of reserve tonnage shall be limited to the quantity exceeding 105 percent of shipments for the first 10 months of the prior crop year; and/or an inadequate carry-over, the free tonnage outlets cannot be reasonably well supplied by the tonnage released to the industry as a whole by the committee's marketing policy for that varietal type. * * *

47. The first sentence of § 989.79 is amended to read:

§ 989.79 Expenses.

The committee is authorized to incur such expenses (other than those specified in § 989.82) as the Secretary finds are reasonable and likely to be incurred by it during each crop year, for the maintenance and functioning of the committee and for such purposes as he may, pursuant to this subpart, determine to be appropriate. * * *

48. Section 989.85 is revised to read:

§ 989.85 Personal liability.

No member or alternate member of the committee or any employee or agent thereof and no member or alternate member of the Executive Operations Committee shall be held personally responsible, either individually or jointly with others, in any way whatsoever, to any handler or any person, for errors in judgment, mistakes, or other acts either of commission or omission, as such member, alternate member, employee, or agent, except for acts of dishonesty.

§ 989.91 [Amended]

49. The date contained in the proviso in § 989.91(c) is changed from "August 31" to "July 31".

50. Section 989.95 is amended to read:

§ 989.95 Right of Secretary.

The members of the committee and the Executive Operations Committee (including alternates and successors) and any agent or employee appointed or employed by the committee, shall be subject to removal or suspension by the Secretary, in his discretion, at any time. Every decision, determination, or other act of the committee or of the Executive Operations Committee shall be subject to the continuing right of the Secretary to disapprove of the same at any time. Upon such disapproval, the disapproved action of the committee or the Executive Operations Committee shall be deemed null and void.

§ 989.96 [Amended]

51. Section 989.96 Exhibit A is amended as follows:

(a) The heading is amended to read "§ 989.96 Producer members of the Raisin Administrative Committee".

(b) The reference to § 989.26b in paragraph (h) is changed to read "§ 989.26a". (Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Effective date: August 4, 1976.

Signed at Washington, D.C., on: July 29, 1976.

JOHN M. DAMGARD,
Deputy Assistant Secretary.

[FR Doc. 76-22475 Filed 8-2-76; 8:45 am]

CHAPTER X—AGRICULTURAL MARKETING SERVICE (MARKETING AGREEMENTS AND ORDERS: MILK) DEPARTMENT OF AGRICULTURE

[Milk Order No. 1012]

PART 1012—MILK IN THE TAMPA BAY MARKETING AREA

Order Suspending Certain Provisions

This order of suspension is issued pursuant to the provisions of the Agricul-

tural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and of the order regulating the handling of milk in the Tampa Bay Marketing Area.

It is hereby found and determined that for the months of July and August 1976 the following provisions of the order do not tend to effectuate the declared policy of the Act:

Paragraphs (2) and (3) of § 1012-13(b).

STATEMENT OF CONSIDERATION

This action suspends for July and August 1976, provisions limiting diversions of milk to nonpool plants to not more than 25 percent of member and nonmember milk, respectively, that is physically received at pool plants during the month. Diversions in excess of that quantity are not producer milk.

The suspension was requested by Suncoast Milk Producers Cooperative in order to maintain pool status for milk of its member producers in July and August.

The cooperative unexpectedly lost a substantial part of its business with one pool handler. Since other fluid outlets are not immediately available, the cooperative now must move to nonpool outlets for surplus disposition the milk formerly moved to this handler. As a result, during July the cooperative's movements of milk from members' farms directly to nonpool manufacturing outlets will exceed 25 percent of its member producer milk physically received at pool plants during the month. It is expected that this situation will continue in August. However, the association expects that seasonally declining production along with seasonally increasing Class I sales will remedy the situation after September 1.

Absent the suspension, the cooperative's diversions of milk in excess of the 25 percent limit would lose pool status. This would result in substantially reduced returns to certain of the cooperative's member producers regularly associated with the fluid market, thus disrupting the orderly marketing of milk in the Tampa Bay market.

No such problem is indicated with respect to milk of nonmember producers. Nevertheless, should the need arise the suspension action also will allow greater diversions of nonmember milk.

Statements supporting the requested suspension were received from other cooperatives representing the vast majority of producers regularly supplying the market.

Accordingly, it is hereby found and determined that notice of proposed rule-making, public procedure thereon, and thirty days' notice of the effective date hereof is impractical, unnecessary and contrary to the public interest in that:

(a) This suspension is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area in that substantial quantities of milk of producers who regularly supply the fluid market otherwise would be excluded from the marketwide pool, thereby causing a disruption in the orderly marketing of milk; and

(b) This suspension does not require of persons affected substantial or extensive preparation prior to the effective date.

Therefore, good cause exists for making this order effective August 3, 1976.

It is therefore ordered, That the aforesaid provisions of the order are hereby suspended for the months of July and August 1976.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Effective date: August 3, 1976.

Signed at Washington, D.C., on July 29, 1976.

JOHN DAMGARD,
Deputy Assistant Secretary.

[FR Doc.76-22473 Filed 8-2-76;8:45 am]

[Milk Order No. 124]

PART 1124—MILK IN THE OREGON-WASHINGTON MARKETING AREA Order Suspending Certain Provisions

This order of suspension is issued pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and of the order regulating the handling of milk in the Oregon-Washington marketing area.

It is hereby found and determined that for the month of August 1976 the following provisions of the order do not tend to effectuate the declared policy of the Act and are therefore suspended:

1. In § 1124.11(a), "and from whom at least three deliveries are received at a pool plant during the month", and
2. In § 1124.11(b), "and from whom at least three deliveries are received during the month at his pool plant(s)".

STATEMENT OF CONSIDERATION

This action suspends for August 1976 the requirement that three deliveries of a producer's milk be received at a pool plant during the month to qualify his milk (as producer milk) for diversion to a nonpool plant. This action continues for an additional month an earlier suspension of identical provisions for the months of April through July 1976 (41 FR 15398).

The basis of this action and the earlier action cited above is the record of a public hearing held March 10-11, 1976, for the Oregon-Washington order market (Docket No. AO-368-A9, Hearing Notice 41 FR 8189). At this hearing, eligibility requirements for diversion were fully reviewed.

A decision issued by the Deputy Administrator, Program Operations, on July 1, 1976 (41 FR 27844), based upon record evidence, recommended that the eligibility requirements for diversion be limited to only a single delivery of a producer's milk each month of September, October, and November. If delivery is made in all three such months, no further diversion eligibility requirements need be met through August. The diversion terms proposed by the Department under such circumstances, if adopted,

would not require any pool plant delivery of a producer in August solely for the purpose of qualifying his milk for diversion that month.

Cooperative handlers in the market have found it difficult at times to qualify all their members for producer status under the order because of the 3-delivery diversion requirement. As a result, unnecessary hauling costs are incurred in connection with meeting the 3-delivery requirement, particularly during the months of heavy milk production when a greater quantity of market reserves must be moved for manufacture. This period of heavy production extends into the month of August and warrants the same interim action, pending the outcome of the amendatory proceeding, as was effectuated for the months of April-July 1976 by the earlier suspension.

This suspension action is the only means available to the Department for reasonably ensuring that the diversion provisions, now at issue in the aforementioned proceeding, may not be a contributing factor to market disorder in August this year.

It is hereby found and determined that thirty days' notice of the effective date hereof is impractical, unnecessary and contrary to the public interest in that:

(a) This suspension is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area since, under the circumstances described herein, the most efficient method of handling the market's reserve milk supply is by diversion direct from producers' farms to milk manufacturing plants. This suspension will permit greater flexibility in the movement of market reserves to manufacturing plants pending the outcome of a public hearing held March 10-11, 1976, at which a proposal to reduce the number of pool plant deliveries required to qualify for diversion was reviewed for this order. Producers requested this suspension at the public hearing. Interim action is necessary pending amendatory procedures. A decision issued by the Deputy Administrator, Program Operations, on July 1, 1976 (41 FR 27844), based upon record evidence, recommended that the eligibility requirements for diversion be limited to only a single delivery of a producer's milk each month of September, October, and November.

(b) This suspension does not require of persons affected substantial or extensive preparation prior to the effective date, therefore, good cause exists for making this order effective with respect to producer milk deliveries during August 1976.

It is therefore ordered, That the aforesaid provisions of the order are hereby suspended for the month of August, 1976.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Effective date: August 3, 1976.

Signed at Washington, D.C., on July 29, 1976.

JOHN DAMGARD,
Deputy Assistant Secretary.

[FR Doc.76-22474 Filed 8-2-76;8:45 am]