All other Texas Ports: Officer In Charge, Post Office Box 107, San Juan, TX 78589, PH: 512-787-4091.

*All other Central Ports of Entry:* Regional Director, Room 1012, 610 South Canal Street, Chicago, IL 60607, PH: 312-353-6225.

*Western Region*

In Arizona, Officer In Charge, Post Office Box 1485, Nogales, AZ 85621, PH: 602-281-0783, or

In Los Angeles, California, Officer In Charge, Wholesale Terminal Bldg., Room 271, 784 South Central Avenue, Los Angeles, CA 90021, PH: 213-688-2489, or

In San Francisco, California, Officer In Charge, P.O. Box 4266, Burlingame, CA 94010, PH: 415-876-1093 and 1094, or

In Hawaii, Officer In Charge, P.O. Box 22159, Pawaa Substation, Honolulu, HI 96822, PH: 808-548-7147, or

In Oregon, Officer In Charge, Cascade Plaza, Suite 125, 2828 SW. Corbett, Portland, OR 97201, PH: 503-229-6161, or

In Washington, Officer In Charge, 5507 Sixth Avenue South, Seattle, WA 98108, PH: 206-764-3500, or

In New Mexico, Officer In Charge, New Mexico Market and Development Branch, New Mexico Department of Agriculture, P.O. Box 5600, Las Cruces, NM 88003, PH: 505-646-4929.

*All other Western Ports of Entry:* Regional Director, P.O. Box 214287, Sacramento, CA 95821, PH: 916-440-3548 and 3549.

*Headquarters:* Washington, DC: Chief, Fresh Products Branch, Fruit and Vegetable Division, AMS, Room 2052-S. Bldg., U.S. Department of Agriculture, Washington, DC 20250, PH: 202-447-5870.

**Notification**

*Port Offices*—at least one (1) day.
*Regional Director*—at least two (2) days.
*Headquarters*—at least three (3) days.

(b) Inspection certificates shall cover only the quantity of fruit that is being imported at a particular port of entry by a particular importer.

(c) The inspection performed, and certificates issued, by the Federal or Federal State Inspection Service shall be in accordance with the rules and regulations of the Department governing the inspection and certification of fresh fruits, vegetables, and other products (7 CFR Part 51). The cost of any inspection and certification shall be borne by the applicant therefor.

(d) Each inspection certificate issued with respect to any of the specified fruits to be imported into the United States shall set forth, among other things: (1) The name and place of inspection; (2) The name of the shipper, or applicant; (3) The commodity inspected; (4) The quantity of the commodity covered by the certificate; (5) The principal identifying marks on the container; (6) The railroad car initials and number, the truck and the trailer license number, the name of the vessel, the name of the air carrier, or other identification of the shipment; and (7) The following statement if the facts warrant: Meets U.S. import requirements under section 8e of the Agricultural Marketing Agreement Act of 1937, as amended.

4. Amend § 944.501 (48 FR 16025) by adding a proviso at the end of paragraph (a) to read:

**§ 944.501 Table Grape Import Regulation 1.**

(a) * * * *Provided,* That with respect to Tokay grapes the quality requirements provided in this section are terminated on August 10, 1983.

* * * * *

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

Dated: July 22, 1983.

**D. S. Kuryloski,**

*Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.*

[FR Doc. 83-20225 Filed 7-26-83; 8:45 am]

BILLING CODE 3410-02-M

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## 7 CFR Parts 982 and 999

## Suspension of Termination Date for Current Grade Standards for Domestic and Imported Shelled Filberts

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

**ACTION:** Final rule.

**SUMMARY:** This final rule would suspend the termination date of grade standards prescribed under Marketing Order No. 982 for domestic shelled filberts, and the grade standards prescribed for imported shelled filberts under § 999.400. The standards became effective on May 24, 1982, and were scheduled to terminate on July 31, 1983. The review contemplated by the May 24, 1982, action has not been completed, and additional time will be needed. Hence, suspension of the July 31, 1983, termination date is necessary to keep the current standards in effect and maintain continuity in the quality of domestic and imported shelled filberts.

**EFFECTIVE DATE:** July 27, 1983.

**FOR FURTHER INFORMATION CONTACT:** Frank M. Grasberger, Acting Chief, Specialty Crops Branch, Fruit and Vegetable Division, AMS, USDA, Washington, D.C. 20250 (202) 447-5053.

**SUPPLEMENTARY INFORMATION:** This final action has been reviewed under USDA guidelines implementing Executive Order 12291 and Secretary's Memorandum No. 1512-1 and has been determined to be a "non-major" rule under criteria contained therein.

William T. Manley, Deputy Administrator, Agricultural Marketing Service, has certified that this action will not have a significant economic impact on a substantial number of small entities.

It is found that is impracticable, unnecessary, and contrary to the public interest to give preliminary notice and engage in public rulemaking and that good cause exists for not postponing the effective date of this action until 30 days after publication in the **Federal Register** (5 U.S.C. 553) because: (1) An emergency situation exists which warrants publication without opportunity for a public comment period on this final action; (2) it is necessary that this action become effective promptly to allow handlers and importers to continue to handle filberts under the current standards to maintain continuity; and (3) this action is necessary to keep the current standards in effect beyond July 31, 1983, thus keeping them from reverting to the standards effective prior to May 24, 1982.

The current standards for domestic shelled filberts prescribed in § 982.101, Exhibit A under the marketing agreement and Order No. 982, both as amended (7 CFR Part 982), and for imported shelled filberts under the import regulation (§ 989.400, Exhibit A) were published in the **Federal Register** March 24, 1982 (47 FR 12609; 13504). These standards include a tolerance of two percent for mold, rancidity, insect injury, or decay, but not more than one percent for mold, rancidity, or insect injury. They became effective May 24, 1982, and were scheduled to terminate July 31, 1983.

The July 31, 1983, termination date was intended to give interested parties an opportunity to review and evaluate the effects of the standards over a reasonable period of time on quality improvement, trade, and consumption, and to determine whether a further reduction of the tolerance levels was justified. This review and evaluation has taken longer than anticipated, and additional time will be needed. Therefore, suspension of the termination date is necessary to maintain continuity in the quality of domestic and imported shelled filberts.

### List of Subjects in 7 CFR Part 982

Marketing agreements and orders, Filberts, Hazelnuts, Oregon, and Washington.

### List of Subjects in 7 CFR Part 999

Food grades and standards, Imports, Dates, Walnuts, Prunes, Raisins, Filberts.

## PARTS 982 AND 999—[AMENDED]

### §§ 982.101 and 999.400 [Amended]

Therefore, 7 CFR 982.101 and 999.400 for domestic and imported shelled filberts, respectively, are amended by removing the last sentence in paragraph (2) of *Tolerances* in § 982.101, Exhibit A, and the last sentence in paragraph (2) of *Tolerances* in § 999.400, Exhibit A.

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

Dated: July 22, 1983.

D. S. Kuryloski,

*Deputy Director, Fruit and Vegetable Division.*

[FR Doc. 83-20274 Filed 7-26-83; 8:45 am]

BILLING CODE 3410-02-M

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## 7 CFR Part 1136

[Milk Order No. 136; Docket No. AO-309-A24]

## Milk in the Great Basin Marketing Area; Order Amending Order

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

**ACTION:** Final rule.

**SUMMARY:** This action amends the classification provisions of the Great Basin Federal milk marketing order. The amendment provides for a Class II classification for formulas especially prepared for infant feeding or dietary use that are aseptically processed and packaged in hermetically sealed paper containers. The action is based on an industry proposal considered at a public hearing held on December 9, 1982. The change, which has been approved by more than two-thirds of the producers in the market, is necessary to reflect current marketing conditions.

**EFFECTIVE DATE:** September 1, 1983.

**FOR FURTHER INFORMATION CONTACT:** Maurice M. Martin, Marketing Specialist, Dairy Division, Agricultural Marketing Service, United States Department of Agriculture, Washington, D.C. 20250 (202/447-7183).

**SUPPLEMENTARY INFORMATION:** This administrative action is governed by the provisions of sections 556 and 557 of Title 5 of the United States Code and, therefore, is excluded from the requirements of Executive Order 12291.

Prior documents in this proceeding:

Notice of Hearing: Issued November 19, 1982, published November 26, 1982 (47 FR 53395).

Emergency Final Decision: Issued February 8, 1983, published February 14, 1983 (48 FR 6545).

Final Order: Issued February 23, 1983, published March 1, 1983 (48 FR 8425).

Recommended Decision: Issued May 5, 1983; published May 10, 1983 (48 FR 20925).

Final Decision: Issued June 22, 1983 published June 28, 1983 (48 FR 29704).

### Findings and Determinations

The findings and determinations hereinafter set forth supplement those that were made when the Great Basin order was first issued and when it was amended. The previous findings and determinations are hereby ratified and affirmed, except where they may conflict with those 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 certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Great Basin marketing area.

Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

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

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

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

(1) The refusal or failure of handlers (excluding cooperative associations specified in Sec. 8c (9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as hereby amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who participated in a referendum and who during the determined representative period were engaged in the production of milk for sale in the marketing area.

### List of Subjects in 7 CFR Part 1136

Milk marketing orders, Milk, Dairy products.

### Order Relative to Handling

*It is therefore ordered,* That on and after the effective date hereof, the handling of milk in the Great Basin marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, as follows:

## PART 1136—MILK IN THE GREAT BASIN MARKETING AREA

1. In § 1136.15, paragraph (b)(1) is revised to read as follows:

### § 1136.15 Fluid milk product.

* * * * *

(b) * * *

(1) Evaporated or condensed milk (plain or sweetened), evaporated or condensed skim milk (plain or sweetened), formulas especially prepared for infant feeding or dietary use that are packaged in hermetically sealed glass, paper, or all-metal containers, any product that contains by weight less than 6.5 percent nonfat milk solids, and whey; and

* * * * *

2. In § 1136.40, paragraph (b)(4)(vi) is revised to read as follows:

### § 1136.40 Classes of utilization.

* * * * *

(b) * * *

(4) * * *

(vi) Formulas especially prepared for infant feeding or dietary use that are packaged in hermetically sealed glass or all-metal containers or aseptically packaged in hermetically sealed paper containers.

* * * * *

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

*Effective date:* September 1, 1983.

Signed at Washington, D.C. on: July 22, 1983.

C. W. McMillan,

*Assistant Secretary, Marketing and Inspection Services.*

[FR Doc. 83-20312 Filed 7-26-83; 8:45 am]

BILLING CODE 3410-02-M

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## FEDERAL RESERVE SYSTEM

### 12 CFR Part 265

[Docket No. R-0476]

### Rules Regarding Delegation of Authority; Delegation of Authority to Reserve Banks To Approve Applications To Acquire Banks

**AGENCY:** Board of Governors of the Federal Reserve System.

**ACTION:** Final rule.

**SUMMARY:** This amendment to the Rules Regarding Delegation of Authority liberalizes the conditions under which Federal Reserve Banks can approve applications under sections 3 and 4 of the Bank Holding Company Act (12 U.S.C. 1842 and 1843(c)(8)), and the Bank Merger Act (section 18(c) of the Federal Deposit Insurance Act, 12 U.S.C. 1828(c)). The Board is amending the competitive criteria to permit Reserve Banks to approve such applications if the transaction involves two banking organizations each with assets over $100 million in deposits and after consummation, the acquiring organization would control over 10 percent of market deposits, rather than 5 percent under the current regulation.

**EFFECTIVE DATE:** July 21, 1983.

**FOR FURTHER INFORMATION CONTACT:** John Russell, Senior Financial Analyst, Division of Banking Supervision and Regulation (202/452-2466) or Bronwen Mason Chaiffetz, Senior Counsel, Legal Division (202/452-3564).

**SUPPLEMENTARY INFORMATION:** Under the Rules Regarding Delegation of Authority, the Federal Reserve banks can approve applications filed under Section 3 or 4 of the Bank Holding Company Act (12 U.S.C. 1842(a) and 1843(c)(8)), or the Bank Merger Act (Section 18(c) of the Federal Deposit Insurance Act, 12 U.S.C. 1828(c)), unless certain factors are present. The competitive criteria for proposals to acquire additional banks provide that the Reserve banks cannot approve an application if the transaction involves two or more banking organizations that:

(i) Rank among a State's ten largest banking organizations, or

(ii) Each of whom has over $100 million in market deposits and, after consummation, the acquiring organization would control over 5 percent of market deposits.

Since September, 1979, the Board has considered and approved a number of applications where the only aspect of the case that precluded delegated approval by the Reserve Bank was the criteria in item (ii). Moreover, the Board has not denied an application where each banking organization had over $100 million in market deposits, and after consummation the acquiring organization controlled not more than 10 percent of market deposits. In light of the Board's experience with the criteria in item (ii) above, the Board believes that the 5 percent threshold should be raised to 10 percent.

This proposed delegated rule change would expedite applications processing and decrease the number of Board cases that do not present a significant competitive issue within a market. Of course, an application being processed under the more liberal delegated rule could be brought to the Board for consideration if competitive circumstances warrant.

*Regulatory Flexibility Act Analysis.* Pursuant to section 605(b) of the Regulatory Flexibility Act (Pub. L. No. 96-354, 5 U.S.C. section 601 *et seq.*), the Board certifies that the proposed amendment, if adopted, will not have a significant economic impact on a substantial number of small entities. The proposed amendment would ease the application of the existing regulations and does not have any particular effect on small entities.

*Regulatory Impact Analysis.* Pursuant to section 3(a)(1) of Executive Order 12291 of February 17, 1981, it has been determined that the proposed amendment does not constitute a major rule within the meaning of section (1)(b) of the Executive Order. The proposed amendment has no effect on the operations of the depository institutions subject to them, and thus, will not have an annual effect on the economy of $100 million or more, will not affect costs or prices for consumers, individual industries, government agencies or geographic regions, and will not have adverse effects on competition, employment, investment, productivity or on the ability of United States based enterprises to compete with foreign based enterprises in domestic or export markets.

*Public Comment.* The provisions of section 553 of Title 5, United States Code, relating to notice, public participation, and deferred effective date have not been followed in connection with the adoption of this amendment because the change to be effected is procedural in nature and does not constitute a substantive rule subject to the requirements of that section. The Board's expanded rulemaking procedures have not been followed because the amendment is a technical one and because it relieves a burden that could obstruct necessary and prompt action that would be in the public interest.

#### List of Subjects in 12 CFR Part 265

Authority delegations (Government agencies), Banks, Banking, Federal Reserve System.

#### PART 265—[AMENDED]

Pursuant to its authority under sections 3(a), 4(c)(8) and 5(b) of the Bank Holding Company Act, and section 18(c) of the Federal Deposit Insurance Act (Bank Merger Act, 12 U.S.C. 1828(c)), the Board of Governors is amending its Rules Regarding Delegation of Authority (12 CFR Part 265) by removing paragraphs (i) through (xiii) of § 265.2 and adding paragraphs (f)(22) (i) through (v) as follows:

**§ 265.2 Specific functions delegated to Board Employees and to Federal Reserve Banks.**

* * * * *

(f) * * *

(22) * * *

(i) A member of the Board has indicated an objection prior to the Reserve Bank's action; or

(ii) The Board has indicated that such delegated authority shall not be exercised by the Reserve Bank in whole or in part; or

(iii) A written substantive objection to the application has been properly made; or

(iv) The application raises a significant policy issue or legal question on which the Board has not established its position; or in formations, banks acquisitions or mergers:

(v) The proposed transaction involves two or more banking organizations:

(*a*) That rank among a State's ten largest banking organizations in terms of total domestic banking assets; or

(*b*) Each of which has more than $100 million of total deposits in banking offices in the same local banking market that, after consumation of the proposal, would control over 10 percent of total deposits in banking offices in that local market; or in nonbank acquisitions:

(*1*) The nonbanking activities involved do not clearly fall within activities that the Board has designated as permissible for bank holding