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Presidential Documents

Title 3—

The President

Proclamation 6077 of November 22, 1989

National Family Caregivers Week, 1989

By the President of the United States of America

A Proclamation

Each day, an estimated two million Americans help older relatives maintain their dignity and independence. They buy groceries for them or take them shopping; they help them maintain their homes; and they assist them with personal care. In many cases, family members provide home nursing care for an older relative who is incapacitated by illness or disability.

These caregivers are unsung heroes and heroines. Rendering service without pay, and often in addition to meeting the demands of their own careers and immediate families, these men and women provide a powerful example of faithfulness and generosity. Family caregivers—whether they are spouses, daughters, sons, grandchildren, or in-laws—offer invaluable help to older relatives who might otherwise be forced to live in an institutional setting.

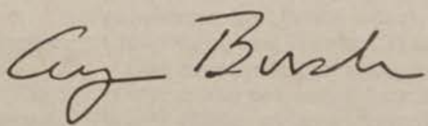
All of us owe a debt of gratitude to the hardworking men and women who give older members of our society the love, respect, comfort, and assistance they need and deserve. More important, however, these men and women merit our recognition and support.

Throughout the United States, family caregivers are aided in their efforts by homemaker programs, by respite and day care services, and by agencies that provide home-delivered meals. This week, we acknowledge the importance of such community support services and reaffirm our commitment to ensuring that family caregivers have greater access to them.

In grateful recognition of the contributions that caregivers make to their families and the Nation, the Congress, by House Joint Resolution 282, has designated the week of November 19 through November 25, 1989, as "National Family Caregivers Week" and has requested the President to issue a proclamation in observance of this week.

NOW, THEREFORE, I, GEORGE BUSH, President of the United States of America, do hereby proclaim the week of November 19 through November 25, 1989, as National Family Caregivers Week. I call upon the American people to observe this week with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-second day of November, in the year of our Lord nineteen hundred and eighty-nine, and of the Independence of the United States of America the two hundred and fourteenth.



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Rules and Regulations

Federal Register
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This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

DEPARTMENT OF AGRICULTURE

Federal Grain Inspection Service

7 CFR Part 810

United States Standards for Wheat

AGENCY: Federal Grain Inspection Service, USDA.

ACTION: Final rule.

SUMMARY: The Federal Grain Inspection Service (FGIS) will amend the United States Standards for Wheat by replacing the single class White wheat with two classes, Hard White wheat (HWW) and Soft White wheat (SWW). The class SWW will have three subclasses, Soft White wheat, White Club wheat and Western White wheat. The Class HWW will have no subclasses. These changes will provide greater consistency in applying the standards, make the standards easier to interpret, and facilitate trade in both hard and soft white wheats.

EFFECTIVE DATE: May 1, 1990.

FOR FURTHER INFORMATION CONTACT: Lewis Lebakken, Jr., Resources Management Division, USDA, FGIS, Room 0628 South Building, P.O. Box 96454, Washington, DC 20090–6454. Telephone (202) 475–3428.

SUPPLEMENTARY INFORMATION:

Executive Order 12291

This rule has been issued in conformance with Executive Order 12291 and Departmental Regulation 1512–1. This action has been classified as nonmajor because it does not meet the criteria for a major regulation established in the Order.

Regulatory Flexibility Act Certification

W. Kirk Miller, Administrator, FGIS, has determined that this final rule will not have a significant economic impact on a substantial number of small entities because those persons who apply the standards and most users of the inspection service do not meet the requirements for small entities as defined in the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Further, the standards are applied equally to all entities.

Background

The current United States Standards for Wheat include the following seven classes: Durum wheat, Hard Red Spring wheat, Hard Red Winter wheat, Soft Red Winter wheat, White wheat, Unclassed wheat, and Mixed wheat. White wheat has four subclasses which are Hard White wheat, Soft White wheat, White Club wheat, and Western White wheat. The recent development of white wheat varieties with hard endosperms and the establishment of a market for them creates a need to revise the United States Standards for Wheat.

Milling and baking studies demonstrate a significant difference in milling properties and in end-use functions between hard and soft endosperm wheats. Hard and soft endosperm wheats are marketed as separate products to meet specific end-use needs. To reflect the specific end-use needs, the standards should address, to the extent practicable, hard and soft endosperm wheats as separate wheat classes and consider the mixing of the two wheat types as Mixed wheat.

A HWW classification subcommittee of U.S. Wheat Associates, representing the HWW producers and the Pacific Northwest SWW producers, recommended changes in the class White wheat to: Create new classes called Hard White wheat and Soft White wheat; eliminate the class White wheat; eliminate the 75 percent hard kernel definition; and eliminate the subclass HWW.

Accordingly, on June 6, 1989, FGIS proposed in the **Federal Register** (54 FR 24176) to amend the United States Standards for Wheat (7 CFR 810.2202) by replacing the single class White wheat with two classes, HWW and SWW. The proposal included subdividing SWW into three subclasses; Common White wheat, White Club wheat, and Western White wheat. The class HWW was to have no subclasses.

It was also proposed to define the classes HWW and SWW as all hard endosperm White wheat varieties and all soft endosperm White wheat varieties, respectively. In conjunction with the change to varietal kernel characteristics rather than hardness, it was proposed to eliminate the definition that the subclasses of hard and soft White wheat be determined by the percentage of hard kernels. Classification would be based on visual examination of the varietal kernel characteristics. Additionally, it was proposed that the presence of HWW in SWW or SWW in HWW be treated as "wheat of other classes." The classes HWW and SWW would be treated as "contrasting classes" with respect to Durum, HRS, and HRW. Soft Red Winter wheat would be treated as "contrasting classes" HWW and SWW due to color contrast rather than "wheat of other classes" as is currently the case in the class White wheat.

Final Action

FGIS received a total of 56 comments during the 60-day comment period. The comments were submitted from all segments of the wheat industry including grain handlers, State wheat commissions, State wheat grower organizations, domestic millers, foreign buyers, wheat producers, and university officials.

The public comments overwhelmingly supported elimination of the current class White wheat and replacement with two classes, HWW and SWW, as proposed. This final rule implements that change. A total of 14 commenters did not support the subclass name "Common White wheat" because of possible misunderstanding in the trade and the possible negative marketing image associated with the word common. They recommended the name "Soft White wheat," instead. The comments recommending that the subclass name "Common White wheat" be replaced with the name "Soft White wheat" are consistent with the current definition and trade perception of the subclass. Thus, FGIS has determined that the standards will be amended so that the new class SWW will have three subclasses, Soft White wheat, White Club wheat, and Western White wheat.

One commenter felt strongly that HWW needs two subclasses: Hard White Winter wheat and Hard White Spring wheat. Three commenters suggested that subclasses in HWW will probably be needed in the future as the market for hard white wheats expands and more HWW varieties are developed. But five commenters said no distinction should be made between hard white wheat grown in the winter or spring in the class HWW. One commenter noted that no clear milling and baking distinction exists between winter and spring grown HWW at this time.

The majority of commenters supported the class HWW without subclasses or had no comment on the issue. Since at this time, no clear milling and baking differences exist at equal protein content between spring and winter white wheats, FGIS will not establish spring and winter subclasses in the class HWW in this rulemaking proceeding. If clear quality or market distinctions develop between spring and winter wheat, FGIS will consider establishing HWW subclasses at a future date.

Two commenters recommended that HWW in SWW or SWW in HWW be treated as "contrasting classes" rather than as "wheat of other classes," as proposed. However, for uniformity in the definitions of "wheat of other classes" and "contrasting classes," as applied to all wheat classes, HWW in SWW or SWW in HWW will be treated as "wheat of other classes," as proposed. Further, the classes HWW and SWW will be "contrasting classes" with respect to Durum, HRS, and HRW as proposed. Soft Red Winter wheat will be treated as "contrasting classes in HWW and SWW, as proposed.

Several commenters stressed the need to develop an objective classification system for all classes of wheat that will be accurate, valid, and repeatable as soon as possible. FGIS has determined that classification by varietal kernel characteristics rather than vitreousness of the kernel is practicable at this time for HWW and SWW since only a few hard endosperm white white varieties are being produced.

FGIS recognizes that if more hard endosperm varieties are released into the marketplace in the future, the classification system may become less practical. Therefore, FGIS is investigating the use of alternative testing methods as the basis of a possible future classification system.

FGIS determined that minor changes in the proposed definition of White Club wheat and Western White wheat will clarify the distinction between the two subclasses and more closely match terminology used in current marketing practices. As proposed, the definition of White Club wheat was "Club headed soft endosperm, white wheat varieties containing not more than 10 percent of other soft white wheats." Accordingly, the definition of White Club wheat will read "Soft endosperm white club wheat varieties containing not more than 10 percent of other soft white wheats." As proposed, the definition of Western White wheat was "Soft White wheat containing more than 10 percent of white club wheat." The definition of Western White wheat, as amended will read "Soft White wheat containing more than 10 percent of white club wheat and more than 10 percent of other soft white wheats." This wording of the subclass Western White wheat clarifies the distinction between Western White and White club wheat.

Pursuant to section 4(b) of the United States Grain Standards Act (7 U.S.C. 76(b)), no standards established or amendments or revocations of standards are to become effective less than one calendar year after promulgation, unless in the judgment of the Administrator, the public health, interest, or safety requires that they become effective sooner. Twenty-four commenters requested that the proposed amendments become effective as soon as possible, especially for growers producing HWW for commercial markets in 1990. In addition, harvesting begins on or about May 1, 1990. In accordance with section 4(b) of the Act, it is determined that the public interest requires that these amendments become effective less than one calendar year after promulgation. Accordingly, this final rule will be effective on May 1, 1990.

List of Subjects in 7 CFR Part 810

Exports, Grains.

For reasons set forth in the preamble, 7 CFR part 810 is amended as follows:

PART 810—OFFICIAL UNITED STATES STANDARDS FOR GRAIN

1. The authority citation for part 810 continues to read as follows:

Authority: Sections 3A and 4, United States Grain Standards Act (7 U.S.C. 75a, 76).

Subpart L—United States Standards for Wheat

Sections 810.2202 (a) and (b) are revised to read as follows:

§ 810.2202 Definition of other terms.

(a) *Classes.* There are eight classes for wheat: Durum wheat, Hard Red Spring wheat, Hard Red Winter wheat, Soft Red Winter wheat, Hard White wheat, Soft White wheat, Unclassed wheat, and Mixed wheat.

(1) *Durum wheat.* All varieties of white (amber) durum wheat. This class is divided into the following three subclasses:

(i) *Hard Amber Durum wheat.* Durum wheat with 75 percent or more of hard and vitreous kernels of amber color.

(ii) *Amber Durum wheat.* Durum wheat with 60 percent or more but less than 75 percent of hard and vitreous kernels of amber color.

(iii) *Durum wheat.* Durum wheat with less than 60 percent of hard vitreous kernels of amber color.

(2) *Hard Red Spring wheat.* All varieties of Hard Red Spring wheat. This class shall be divided into the following three subclasses.

(i) *Dark Northern Spring wheat.* Hard Red Spring wheat with 75 percent or more of dark, hard, and vitreous kernels.

(ii) *Northern Spring wheat.* Hard Red Spring wheat with 25 percent or more but less than 75 percent of dark, hard, and vitreous kernels.

(iii) *Red Spring wheat.* Hard Red Spring wheat with less than 25 percent of dark, hard, and vitreous kernels.

(3) *Hard Red Winter wheat.* All varieties of Hard Red Winter wheat. There are no subclasses in this class.

(4) *Soft Red Winter wheat.* All varieties of Soft Red Winter wheat. There are no subclasses in this class.

(5) *Hard White wheat.* All hard endosperm white wheat varieties. There are no subclasses in this class.

(6) *Soft White wheat.* All soft endosperm white wheat varieties. This class is divided into the following three subclasses:

(i) *Soft White wheat.* Soft endosperm white wheat varieties which contain not more than 10 percent of white club wheat.

(ii) *White Club wheat.* Soft endosperm white club wheat varieties containing not more than 10 percent of other soft white wheats.

(iii) *Western White wheat.* Soft White wheat containing more than 10 percent of white club wheat and more than 10 percent of other soft white wheats.

(7) *Unclassed wheat.* Any variety of wheat that is not classifiable under other criteria provided in the wheat standards. There are no subclasses in this class. This class includes:

(i) Red durum wheat.

(ii) Any wheat which is other than red or white in color.

(8) *Mixed wheat.* Any mixture of wheat that consists of less than 90 percent of one class and more than 10 percent of one other class, or a combination of classes that meet the definition of wheat.

(b) *Contrasting classes.* Contrasting classes are:

(1) Durum wheat, Hard White wheat, Soft White wheat, and Unclassed wheat in the classes Hard Red Spring wheat and Hard Red Winter wheat.

(2) Hard Red Spring wheat, Hard Red Winter wheat, Hard White wheat, Soft Red Winter wheat, Soft White wheat, and Unclassed wheat in the class Durum wheat.

(3) Durum wheat and Unclassed wheat in the class Soft Red Winter wheat.

(4) Durum wheat, Hard Red Spring wheat, Hard Red Winter wheat, Soft Red Winter wheat, and Unclassed wheat, in the classes Hard White wheat and Soft White wheat.

* * * * *

Dated: November 2, 1989.

W. Kirk Miller,

Administrator.

[FR Doc. 89-27692 Filed 11-24-89; 8:45 am]

BILLING CODE 3410-EN-M

Agricultural Marketing Service

7 CFR Part 907

[Navel Orange Regulation 695]

Navel Oranges Grown in Arizona and Designated Part of California

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This regulation establishes the quantity of California-Arizona navel oranges that may be shipped to domestic markets during the period from November 24 through November 30, 1989. Consistent with program objectives, such action is needed to balance the supplies of fresh navel oranges with the demand for such oranges during the period specified. This action was recommended by the Navel Orange Administrative Committee (Committee), which is responsible for local administration of the navel orange marketing order.

DATES: Regulation 695 [7 CFR part 907] is effective for the period from November 24 through November 30, 1989.

FOR FURTHER INFORMATION CONTACT: Jacquelyn R. Schlatter, Marketing Specialist, Marketing Order Administration Branch, Fruit and Vegetable Division, Agricultural Marketing Service, U.S. Department of Agriculture, Room 2523-S, P.O. Box 96456, Washington, DC 20090-6456; telephone: (202) 447-8139.

SUPPLEMENTARY INFORMATION: This final rule is issued under Marketing Order 907 [7 CFR part 907], as amended, regulating the handling of navel oranges grown in Arizona and designated part of California. This order is effective under the Agricultural Marketing Agreement Act of 1937, as amended, hereinafter referred to as the Act.

This final rule has been reviewed under Executive Order 12291 and Departmental Regulation 1512-1 and has been determined to be a "non-major" rule under criteria contained therein.

Pursuant to requirements set forth in the Regulatory Flexibility Act (RFA), the Administrator of the Agricultural Marketing Service (AMS) has considered the economic impact of the use of volume regulations on small entities as well as larger ones.

The purpose of the RFA is to fit regulatory actions to the scale of business subject to such actions in order that small businesses will not be unduly or disproportionately burdened. Marketing orders issued pursuant to the Act, and rules issued thereunder, are unique in that they are brought about through group action of essentially small entities acting on their own behalf. Thus, both statutes have small entity orientation and compatibility.

There are approximately 123 handlers of California-Arizona navel oranges subject to regulation under the navel orange marketing order and approximately 4,065 navel orange producers in California and Arizona. Small agricultural producers have been defined by the Small Business Administration [13 CFR 121.2] as those having annual receipts of less than $500,000, and small agricultural service firms are defined as those whose annual receipts are less than $3,500,000. The majority of handlers and producers of California-Arizona navel oranges may be classified as small entities.

The California-Arizona navel orange industry is characterized by a large number of growers located over a wide area. The production area is divided into four districts which span Arizona and part of California. The largest proportion of navel orange production is located in District 1, Central California, which represented 85 percent of the total production in 1988-89. District 2 is located in the southern coastal area of California and represented 13 percent of 1989-90 production; District 3 is the desert area of California and Arizona, and it represented approximately 1 percent; and District 4, which represented approximately 1 percent, is northern California. The Committee's estimate of 1988-89 production is 73,350 cars (one car equals 1,000 cartons at 37.5 pounds net weight each), as compared with 70,633 cars during the 1988-89 season.

The three basic outlets for California-Arizona navel oranges are the domestic fresh, export, and processing markets. The domestic (regulated) fresh market is a preferred market for California-Arizona navel oranges. The Committee estimates that about 68 percent of the 1989-90 crop of 73,350 cars will be utilized in fresh domestic channels (49,500 cars), with the remainder being exported fresh (10 percent) or processed (22 percent). This compares with the 1988-89 total of 45,581 cars shipped to fresh domestic markets, about 64 percent of the crop.

Volume regulations issued under the authority of the Act and Marketing Order No. 907 are intended to provide benefits to growers. Growers benefit from increased returns and improved market conditions. Reduced fluctuations in supplies and prices result from regulating shipping levels and contribute to a more stable market. The intent of regulation is to achieve a more even distribution of oranges in the market throughout the marketing season.

Based on the Committee's marketing policy, the crop and market information provided by the Committee at its November 21, 1989, meeting, and other information available to the Department, the costs of implementing the regulations are expected to be more than offset by the potential benefits of regulation.

Reporting and recordkeeping requirements under the navel orange marketing order are required by the Committee from handlers of navel oranges. However, handlers in turn may require individual growers to utilize certain reporting and recordkeeping practices to enable handlers to carry out their functions. Costs incurred by handlers in connection with recordkeeping and reporting requirements may be passed on to growers.

Major reasons for the use of volume regulations under this marketing order are to foster market stability and enhance grower revenue. Prices for navel oranges tend to be relatively inelastic at the grower level. Thus, even a small variation in shipments can have a great impact on prices and grower revenue. Under these circumstances, strong arguments can be advanced as to the benefits to growers, particularly smaller growers.

At the beginning of each marketing year, the Committee submits a marketing policy to the U.S. Department of Agriculture (Department) which discusses, among other things, the potential use of volume and size regulations for the ensuing season. The