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Presidential Documents

Title 3—

The President

Proclamation 6270 of April 15, 1991

National Farm Safety Week, 1991

By the President of the United States of America

A Proclamation

The men and women who work in America's agricultural sector make a vital contribution to our Nation's well-being. By providing consumers with a variety of high-quality food and fiber at reasonable costs, they help to keep our work force strong and healthy and, in so doing, help to maintain the Nation's economic productivity and competitiveness. Because we count on farmers and ranchers for so much, both as individuals and as a Nation, it is fitting that we observe National Farm Safety Week—a concerted public awareness campaign aimed at promoting their health and safety.

Over the years much has been done to improve the safety of agricultural production. Advances in science and technology and increased attention to avoiding safety risks have made farms and ranches safer places to work. Moreover, dedicated professionals and volunteers have been working together to promote health and safety in rural communities. These efforts are reflected by a welcome downturn in farm accident rates.

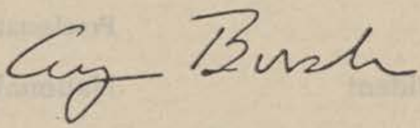
Unfortunately, however, while important strides have been made in reducing the risks of farming and ranching, agricultural production remains one of our most hazardous industries, with an accident death rate that is more than four times the average of all industries. More must be done to reduce the toll of farm-related accidents.

Most accidents on the Nation's farms and ranches can be prevented by sensible measures that involve little extra time, effort, or expense. For example, farmers and ranchers can reduce their risk of serious injury and illness by following manufacturers' instructions on the use of chemicals and machinery and by utilizing protective apparel and safety equipment when the job calls for it. Children should be kept away from hazardous machinery, and all family members and employees should be trained in safety procedures and first aid.

For generations, the men and women who work on our Nation's farms and ranches have endured long hours of tough, physical labor. However, they have continually met the challenges of their vocation with determination and pride—and with unparalleled success. During National Farm Safety Week, let us resolve to make excellence in health and safety another one of America's great farming traditions.

NOW, THEREFORE, I, GEORGE BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim the week of September 15 through September 21, 1991, as National Farm Safety Week. I urge all who live and work on our Nation's farms and ranches to make the preservation of personal health and safety an integral part of their daily activities. I also urge them to protect their children, not only by instruction in safety habits, but also by setting an example of carefulness and by avoiding needless risks. I also call upon organizations that serve agricultural producers to strengthen their support for rural health and safety programs, and I encourage all Americans to observe this week with appropriate activities as we express our appreciation for the many contributions that men and women in agriculture make to our Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of April, in the year of our Lord nineteen hundred and ninety-one, and of the Independence of the United States of America the two hundred and fifteenth.



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Rules and Regulations

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DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 51

[Docket No. FV-89-213]

Table Grapes (European or Vinifera Type); Grade Standards

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This final rule revises the United States Standards for Grades of Table Grapes (European or Vinifera Type) by establishing a new grade, U.S. No. 1 Institutional. The revised standards will provide a grade for small bunch, institutional pack type grapes without sacrificing quality of the pack. The California Grape and Tree Fruit League, a trade association representing major table grape growers and packers, has requested the United States Department of Agriculture (USDA) make the change to bring the standards in line with current marketing trends. This change will improve marketing information and communication between shippers and receivers of table grapes. The Agricultural Marketing Service (AMS) develops and improves standards of quality, condition, quantity, grade, and packaging which enhance the marketing of agricultural commodities by fostering consistency in commercial practices.

EFFECTIVE DATE: April 18, 1991.

FOR FURTHER INFORMATION CONTACT: Thomas G. Gambill, Fresh Products Branch, Fruit and Vegetable Division, Agricultural Marketing Service, U.S. Department of Agriculture, P.O. Box 96456, Washington, DC 20090–6456, (202) 447–5024.

SUPPLEMENTARY INFORMATION: This rule has been reviewed by the Department in accordance with Departmental Regulation 1512–1 and the criteria contained in Executive Order 12291 and has been determined to be a "nonmajor" rule.

Pursuant to the requirements set forth in the Regulatory Flexibility Act (5 U.S.C. 601 et. seq.), the Administrator of AMS has determined that this action will not have a significant economic impact on a substantial number of small entities. The revision of the U.S. Standards for Grades of Table Grapes (European or Vinifera Type), will not impose substantial direct economic cost, recordkeeping, or personnel workload changes on small entities, and will not alter the market share or competitive position of these entities relative to large businesses. In addition, under the Agricultural Marketing Act of 1946, the application of these standards is voluntary.

The proposed rule, United States Standards for Grades of Table Grapes (European or Vinifera Type) (7 CFR 51.880–51.913), was published in the **Federal Register** on November 30, 1990 (55 FR 49629–49630). The proposal was developed at the request of the California Grape and Tree Fruit League, a trade association representing growers and shippers of California table grapes.

In recent years, new marketing and packaging techniques have developed small, consumer size servings of grapes. Under the present grade requirements these grapes cannot meet any U.S. grade due to bunch size requirements.

The California Grape and Tree Fruit League formally asked the USDA to revise U.S. Standards for Grades of Table Grapes (European or Vinifera Type) by adding the U.S. No. 1 Institutional grade. Institutional type packs of table grapes have been effectively prohibited from being exported to Canada because Canadian law requires imported grapes to be certified to a U.S. grade. With their small bunch weight, grapes sought by some Canadian receivers fell outside the minimum specified in the existing U.S. grades. This new grade makes a provision for small bunches, 2 to 5 ounces, while applying all the other requirements of the U.S. No. 1 Table grade. The U.S. No. 1 Institutional grade also requires 95 percent of the containers in a lot be legibly marked "Institutional Pack."

The 60-day comment period ended January 29, 1991 and a total of eight comments were received concerning the proposal. Six of these comments were from the U.S. table grape industry and were in favor of the proposal.

The seventh comment, from the Mexican Table Grape Association, asserts that there will be "more boxes of table grapes of less quality in the market which will affect the buying public and this larger volume of boxes will make the commercialization of the table grape crop more difficult causing economic loss to the growers."

AMS disagrees and believes the opposite effect is actually the case. The institutional grade sacrifices no quality requirements. It requires that grapes in this grade meet the requirements of a U.S. No. 1 Table grade. Most importantly, the new grade will allow U.S. shippers to export grapes to Canadian markets where there is a demand for smaller bunches.

The eighth comment was from an AMS Federal Supervisor who pointed out that certifying to the new grade will require delicate equipment and more time. It appears, however, that these factors do not outweigh the benefits of the new grade.

The Agricultural Marketing Service (AMS) develops and improves standards of quality, condition, grade, and packaging to enhance the marketing of agricultural commodities by fostering consistency in commercial practices. The Agency has determined this final rule will enhance the marketing of table grapes. The provisions of this final rule are the same as those in the proposed rule except for the editorial changes made for clarity. In addition, the authority citation for part 51 has been changed to be consistent with the citation that appears in the Code of Federal Regulations.

It is hereby found that good cause exists for not postponing the effective date of this revision beyond the date of publication hereof in the **Federal Register**, in that: (1) The packing season for table grapes is soon to begin and it is in the interest of the industry that this revision be placed in effect at the earliest date; and (2) no special preparation is required for compliance with this revision on the part of members of the table grape industry or others.

Accordingly this revision shall become effective upon publication in the **Federal Register**.

List of Subjects in 7 CFR Part 51

Agricultural commodities, Food grades and standards, Fruits, Nuts, Reporting and recordkeeping requirements, Vegetables.

PART 51—(AMENDED)

For reasons set forth in the preamble, 7 CFR part 51 is amended as follows:

1. The authority citation for 7 CFR part 51 continues to read as follows:

Authority: Secs. 203, 205, 60 Stat. 1087, as amended, 1090 as amended; 7 U.S.C. 1622, 1624, unless otherwise noted.

§§ 51.885–51.912 [Redesignated as §§ 51.886–51.913]

2. In Subpart—United States Standards for Grades of Table Grapes (European or Vinifera Type), §§ 51.885 through 51.912 are redesignated §§ 51.886 through 51.913 and the appropriate cross references within the part are changed as shown in the following chart.

Previous Section No.	Previous Cross-reference No.	Section Number of New Standard	New Cross-reference No.
51.880(j)	51.885	51.880(j) (unchanged)	51.886.
51.882(j)	51.885	51.882(j) (unchanged)	51.886.
51.883	51.911	51.883 (unchanged)	51.912.
51.884(j)	51.885	51.884(j) (unchanged)	51.886.
51.885	51.887	51.886	51.888.

3. The table of contents is revised to read as follows:

4. A new § 51.885 is added to read as follows:

§ 51.885 U.S. No. 1 Institutional.

The requirements for this grade are the same as for "U.S. No. 1 Table" except for bunch size. In this grade bunch size shall not be less than two ounces and not greater than five ounces. Additionally, not less than 95% of the containers in the lot must be legibly marked "Institutional Pack."

5. In the newly redesignated § 51.886 Table I is changed to read as follows:

§ 51.886 Tolerances.

* * * * *

TABLE I—TOLERANCES AT SHIPPING POINT [1]

[Percent]

Factor	U.S. Extra fancy table	U.S. Fancy table	U.S. No. 1 table
(A) For bunches failing to meet color requirements	10	10	10
(B) For bunches failing to meet requirements for minimum diameter of berries	10	10	10
(C) For bunches failing to meet stem color requirements	10		
(D) For offsize bunches and for bunches and berriers failing to meet the remaining requirements for the grade	8	8	8
Including in (D):			
(a) For serious damage	2	2	2
And, including in (a):			
(i) For decay	½ of 1	½ of 1	½ of 1

[1] Shipping Point, as used in these standards, means the point of origin of the shipment in the producing area or at port of loading for ship stores or overseas shipment, or, in the case of shipments from outside the continental United States, the port of entry into the United States.

* * * * * *

TABLE II—TOLERANCES EN ROUTE OR AT DESTINATION

(A) For bunches failing to meet color requirements	10	10	10
(B) For bunches failing to meet requirements for minimum diameter of berries	10	10	10
(C) For bunches failing to meet stem color requirements	10		
(D) For offsize bunches and for bunches and berriers failing to meet the remaining requirements for the grade	12	12	12
Including in (D):			
(a) For permanent defects	8	8	8

TABLE II—TOLERANCES EN ROUTE OR AT DESTINATION—Continued

(b) For serious damage	4	4	4
And, including in (b):			
(i) For serious damage by permanent defects	2	2	2
(ii) For decay	1	1	1

Dated: April 12, 1991.

Kenneth C. Clayton,

Acting Administrator.

[FR Doc. 91-9134 Filed 4-17-91; 8:45 am]

BILLING CODE 3410-01-M

Federal Grain Inspection Service

7 CFR Part 800

Fees for Official Inspection and Official Weighing Services

AGENCY: Federal Grain Inspection Service, USDA.

ACTION: Final rule.

SUMMARY: The Federal Grain Inspection Service (FGIS) is increasing its fees by approximately 8 percent for official inspection and weighing services performed in the United States under the United States Grain Standards Act (USGSA), as amended. This change is intended to cover, as nearly as practicable, the FGIS operating costs, including related supervisory and administrative costs.

EFFECTIVE DATE: May 20, 1991.

FOR FURTHER INFORMATION CONTACT: Allen Atwood, Federal Grain Inspection Service, USDA, Room 0628 South Building, Box 96454, Washington, DC 20090-6454; telephone (202) 475-3328.

SUPPLEMENTARY INFORMATION:

Executive Order 12291

This final rule is 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

John C. Foltz, Administrator, FGIS has determined that this final rule will not have a significant economic impact on a substantial number of small entities as defined in the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) because most users of the official inspection and weighing services do not meet the requirements for small entities. FGIS is required by statute to make services available and to recover costs of providing such services as nearly as practicable.

Background

The USGSA, as amended (7 U.S.C. 71 *et seq.*), provides that FGIS shall charge and collect reasonable fees that cover its estimated cost for performing official inspection, weighing, reinspection, and appeal inspection services. The fees are to cover, as nearly as practicable, and taking into consideration any proceeds from the sale of samples, the FGIS costs for performance of these official services, including related administrative and supervisory costs. FGIS costs include personnel compensation, personnel benefits, travel, rent, communications, utilities, contractual services, supplies, and equipment. The current USGSA fees became effective on January 5, 1987 (51 FR 43723). The fees were designed to cover, as nearly as practicable, the level of operating costs as projected for fiscal year 1988. They presently appear in § 800.71 on Schedule A of the regulations, Fees for Official Inspection, Weighing, and Appeal Inspection Services, Performed in the United States (7 CFR 800.71 (Schedule A)).

Comments

In the October 1, 1990, **Federal Register** (55 FR 40136) FGIS proposed to increase fees for official inspection and official weighing services, as performed in the United States under the USGSA, as amended, by 13.5 percent. The proposal requested interested persons to submit written comments by October 30, 1990. Additionally, on October 30, 1990, in **Federal Register** (55 FR 45611) FGIS extended the comment period by 30 days until November 30, 1990.

Thirty-six comments were received regarding the proposal. The commenters represent both association and operational interests of grain handlers and processors providing export and domestic services in the grain industry. Additionally, one Congressional comment was received.

The commenters oppose any fee increase and suggest cost cutting measures be implemented without affecting the level of service provided. FGIS disagrees with the view opposing any fee increase but does believe that cost cutting measures should be implemented to the extent practicable to lessen the amount of the proposed increase as much as possible.

Final Action

FGIS continually monitors its cost, revenue, and operating reserve levels to assure that there are sufficient resources for operations. During the fiscal years 1988 and 1989 FGIS continued to implement cost-saving measures in an effort to provide cost-effective quality services. As a result, the revenue of $23,396,548 covered the operating costs of $19,778,546 for fiscal year 1988. However, the fiscal year 1989 revenue of $22,488,972 did not cover operating costs of $22,566,180 resulting in a negative margin of $77,208. The increase in costs can be attributable mainly to increases in personnel compensation and benefits.

Fiscal year 1990 costs provide the most adequate data available to assess FGIS's inspection and weighing operating costs and revenue structure. This data was used to project fiscal year 1991 inspection and weighing costs and revenue levels. During the period October 1, 1989 to September 30, 1990, the actual operating cost was $21,962,736 and the revenue was $19,410,005, resulting in a loss of $2,552,731. This trend requires the implementation of cost saving measures and an increase in fees to recover projected operating costs and maintain a 3 month operating reserve.

While the quantity of inspection and weighing services may fluctuate, certain FGIS costs remain constant. FGIS anticipates cutting costs for fiscal year 1991 by approximately 16.72 percent or from $22,431,100 to $18,680,000, thereby realizing a potential savings of $3,751,100 in the inspection and weighing program. The reduction in costs will be achieved through furloughs, reductions in force, and reducing other costs including travel costs. Additionally, FGIS will continue efforts to reduce costs in fiscal year 1992.

Accordingly, FGIS is increasing fees for inspection, weighing, reinspection, and appeal inspection services by approximately 8 percent rather than by the 13.5 percent as proposed. The fee increases both the contract hourly rates and noncontract hourly rates for original inspection and official weighing. The official inspection and weighing services hourly rates include, but are not limited to grading, weighing, sampling, stowage examination, equipment testing, test weight reverification, evaluation of