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DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 980

[Doc. No. AMS-FV-08-0018; FV08-980-1 C]

Vegetable Import Regulations; Modification of Potato Import Regulations; Correction

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule; correction.

SUMMARY: The Agricultural Marketing Service is correcting a final rule that appeared in the **Federal Register** of December 10, 2009. The rule modified the import regulations for Irish potatoes and made minor administrative changes to the potato, onion, and tomato import regulations to update informational references. This document corrects two Code of Federal Regulation citations in the informational references that were cited incorrectly.

DATES: *Effective Date:* January 11, 2010.

FOR FURTHER INFORMATION CONTACT:

Barry Broadbent or Gary D. Olson, Northwest Marketing Field Office, Marketing Order Administration Branch, Fruit and Vegetable Programs, AMS, USDA, 1220 SW. Third Avenue, Suite 385, Portland, OR 97204; *Telephone:* (503) 326-2724, *Fax:* (503) 326-7440, or *E-mail:* Barry.Broadbent@usda.gov or GaryD.Olson@usda.gov.

SUPPLEMENTARY INFORMATION: In FR Doc. AMS-FV-08-0018; FV08-980-1 FR in the **Federal Register** of Thursday, December 10, 2009 (74 FR 65390), the following corrections are made:

§ 980.117 [Corrected]

■ 1. On page 65394, in the second column, amendatory instruction 5(c) is revised to read "Amend paragraph (h) by removing the references '(7 CFR

2851.3195 through 2851.3209),' '(7 CFR 2851.3955 through 2851.3970),' and '(7 CFR 2851.2830 through 2851.2854)' and by adding in their places the references '(7 CFR 51.3195 through 51.3209),' '(7 CFR 51.3955 through 51.3970),' and '(7 CFR 51.2830 through 51.2854)', respectively."

Dated: January 6, 2010.

David R. Shipman,

Acting Administrator, Agricultural Marketing Service.

[FR Doc. 2010-314 Filed 1-8-10; 8:45 am]

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DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 993

[Doc. No. AMS-FV-09-0048; FV09-993-1 FIR]

Dried Prunes Produced in California; Decreased Assessment Rate

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Affirmation of interim final rule as final rule.

SUMMARY: The Department of Agriculture (USDA) is adopting, as a final rule, without change, an interim final rule that decreased the assessment rate established for the Prune Marketing Committee (Committee), for the 2009-10 and subsequent crop years from \$0.30 to \$0.16 per ton of salable dried prunes. The Committee locally administers the marketing order that regulates the handling of dried prunes in California. The interim final rule was necessary to align the Committee's expected revenue with decreases in its proposed budget for the 2009-10 and subsequent crop years, which began on August 1. The assessment rate will remain in effect indefinitely unless modified, suspended, or terminated.

DATES: *Effective Date:* January 12, 2010.

FOR FURTHER INFORMATION CONTACT:

Debbie Wray, Marketing Specialist, or Kurt J. Kimmel, Regional Manager, California Marketing Field Office, Marketing Order Administration Branch, Fruit and Vegetable Programs, AMS, USDA; *Telephone:* (559) 487-5901, *Fax:* (559) 487-5906, or *E-mail:* Debbie.Wray@ams.usda.gov or Kurt.Kimmel@ams.usda.gov.

Small businesses may obtain information on complying with this, and other marketing order and agreement regulations by viewing a guide at the following Web site: <http://www.ams.usda.gov/AMSV1.0/ams.fetchTemplateData.do?template=TemplateN&page=MarketingOrdersSmallBusinessGuide>; or by contacting Jay Guerber, Marketing Order Administration Branch, Fruit and Vegetable Programs, AMS, USDA, 1400 Independence Avenue, SW., STOP 0237, Washington, DC 20250-0237; *Telephone:* (202) 720-2491, *Fax:* (202) 720-8938, or *E-mail:* Jay.Guerber@ams.usda.gov.

SUPPLEMENTARY INFORMATION: This rule is issued under Marketing Agreement No. 110 and Marketing Order No. 993, both as amended (7 CFR part 993), regulating the handling of dried prunes grown in California, hereinafter referred to as the "order." The order is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), hereinafter referred to as the "Act."

The Department of Agriculture (USDA) is issuing this rule in conformance with Executive Order 12866.

Under the order, California dried prune handlers are subject to assessments, which provide funds to administer the order. Assessment rates issued under the order are intended to be applicable to all assessable salable dried prunes for the entire crop year, and continue indefinitely until amended, suspended, or terminated. The Committee's fiscal period begins on August 1 and ends on July 31.

In an interim final rule published in the **Federal Register** on September 9, 2009, and effective on September 10, 2009 (74 FR 46310, Doc. No. AMS-FV-09-0048; FV09-993-1 IFR), § 993.347 was amended by decreasing the assessment rate established for the Committee for the 2009-10 and subsequent crop years from \$0.30 to \$0.16 per ton of California salable dried prunes. The decrease in the per-ton assessment rate was possible due to significant decreases in operating expenses and contingencies, and a significant increase in the crop estimate for the 2009-10 crop year.