

# Rules and Regulations

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## DEPARTMENT OF AGRICULTURE

### Farm Service Agency

#### 7 CFR Part 701

RIN 0560-AG26

#### Emergency Conservation Program

**AGENCY:** Farm Service Agency, USDA.

**ACTION:** Final rule; correction.

**SUMMARY:** This document corrects the final rule document published March 4, 2004 (69 FR 10299), which set out regulations for the Emergency Conservation Program (ECP) and also provided for resolving matters related to other programs that have been administered under the same part. This document removes erroneous language that could be misleading.

**EFFECTIVE DATE:** March 4, 2004.

**FOR FURTHER INFORMATION CONTACT:** Clayton Furukawa, Conservation and Environmental Protection Division, Farm Service Agency (FSA), United States Department of Agriculture (USDA 690-057), Stop 0517, 1400 Independence Avenue SW., Washington, DC 20250-0517. Telephone: (202) 690-0571; e-mail: [clayton.furukawa@usda.gov](mailto:clayton.furukawa@usda.gov).

**SUPPLEMENTARY INFORMATION:** The Farm Service Agency published a final rule in the **Federal Register** of March 4, 2004, (69 FR 10299) revising the regulations for the Emergency Conservation Program. In section 701.10(c) of that final rule, the last sentence incorrectly states "Denial of a request for a waiver is not subject to appeal." This correction removes that sentence.

In rule FR Doc. 04-4861 published March 4, 2004, (69 FR 10299) make the following correction:

#### § 701.10 [Corrected]

■ On page 10304, in § 701.10, paragraph (c), remove the last sentence.

Signed in Washington, DC, on April 19, 2004.

**Michael W. Yost,**

*Acting Administrator, Farm Service Agency.*

[FR Doc. 04-9419 Filed 4-23-04; 8:45 am]

**BILLING CODE 3410-05-P**

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

#### 7 CFR Part 956

[Docket No. FV04-956-1 IFR]

#### Sweet Onions Grown in the Walla Walla Valley of Southeast Washington and Northeast Oregon; Establishment of Special Purpose Shipping Regulations and Modification of Reporting Requirements

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

**ACTION:** Interim final rule with request for comments.

**SUMMARY:** This rule establishes procedures to allow the grading, packing, or storing of Walla Walla sweet onions outside the production area established under the Walla Walla sweet onion marketing order and also modifies handler reporting requirements. The marketing order regulates the handling of sweet onions grown in the Walla Walla Valley of Southeast Washington and Northeast Oregon and is administered locally by the Walla Walla Sweet Onion Marketing Committee (Committee). Allowing sweet onion market preparation to occur outside the production area will increase marketing options for Walla Walla sweet onions and may reduce marketing costs. Modification of the reporting requirements will contribute to the efficient operation of the program and enhance compliance with the special purpose shipment procedures as established in this rule.

**DATES:** Effective April 27, 2004; comments received by June 25, 2004 will be considered prior to issuance of a final rule. Pursuant to the Paperwork Reduction Act, comments on the information collection burden must be received by June 25, 2004.

**ADDRESSES:** Interested persons are invited to submit written comments concerning this rule. Comments must be sent to the Docket Clerk, Marketing

Order Administration Branch, Fruit and Vegetable Programs, AMS, USDA, 1400 Independence Avenue, SW., STOP 0237, Washington, DC 20250-0237; fax: (202) 720-8938; or e-mail: [moab.docketclerk@usda.gov](mailto:moab.docketclerk@usda.gov) or [www.regulations.gov](http://www.regulations.gov). All comments should reference the docket number and the date and page number of this issue of the **Federal Register** and will be made available for public inspection in the Office of the Docket Clerk during regular business hours, or can be viewed at: <http://www.ams.usda.gov/fv/moab.html>.

#### FOR FURTHER INFORMATION CONTACT:

Barry Broadbent, Marketing Specialist, Northwest Marketing Field Office, Marketing Order Administration Branch, Fruit and Vegetable Programs, AMS, USDA, 1220 SW. Third Avenue, Suite 385, Portland, Oregon 97204-2807; telephone: (503) 326-2724; fax: (503) 326-7440; or e-mail: [Barry.Broadbent@usda.gov](mailto:Barry.Broadbent@usda.gov); or George Kelhart, Technical Advisor, 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.

Small businesses may request information on complying with this regulation 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@usda.gov](mailto:Jay.Guerber@usda.gov).

**SUPPLEMENTARY INFORMATION:** This rule is issued under Marketing Agreement and Order No. 956, both as amended (7 CFR part 956), regulating the handling of Walla Walla sweet onions grown in Southeast Washington and Northeast Oregon, 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.

This rule has been reviewed under Executive Order 12988, Civil Justice Reform. This rule is not intended to have retroactive effect. This rule will not preempt any State or local laws,