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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.

OFFICE OF PERSONNEL MANAGEMENT

5 CFR Part 900

Certifying the Use of a Merit Personnel System as Required by the Intergovernmental Personnel Act of 1970

AGENCY: Office of Personnel Management (OPM).

ACTION: Guidance.

SUMMARY: OPM wishes to publicly respond to inquiries regarding the available range of staffing options for federally-funded and state-administered low-income programs that are required to comply with the Intergovernmental Personnel Act of 1970 (IPA) and its implementing regulations.

DATES: April 19, 2019.

FOR FURTHER INFORMATION CONTACT: For questions, please contact Kim Holden, Employee Services, Talent Acquisition and Workforce Shaping at employ@opm.gov or 202-606-8097.

SUPPLEMENTARY INFORMATION: Pursuant to 5 CFR 900.604(b)(3), OPM is tasked with responding to requests for guidance regarding compliance with the Intergovernmental Personnel Act of 1970 (IPA) and its implementing regulations. When a federally-funded program requires state and local agencies to establish a merit personnel system in order to receive funds, the IPA and the regulations in 5 Code of Federal Regulations (CFR) Part 900 Subpart F are applicable. These regulations establish the standards that must be included in a merit personnel system when it is certified by a state or local agency. The IPA and the regulations do not prescribe the use of a particular staffing method such as utilizing state employees or contract employees. In the absence of any other statutory or regulatory requirement to use a specific staffing method, the state or local agency has the discretion to determine the most appropriate staffing

method. Regardless of the staffing method chosen, the state or local agency must certify that it is using a merit personnel system that meets the standards outlined in 5 CFR 900.603.

Office of Personnel Management.

Alexys Stanley,

Regulatory Affairs Analyst.

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DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 52

[Document Number AMS-FV-14-0088, SC-19-328]

United States Standards for Grades of Processed Vegetables

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final notice.

SUMMARY: The Agricultural Marketing Service (AMS) of the Department of Agriculture (USDA) is revising the U.S. Standards for Grades of Canned Lima Beans, U.S. Standards for Grades of Canned Mushrooms, U.S. Standards for Grades of Pickles, and U.S. Standards for Grades of Green Olives. AMS is replacing the term “midget” with “petite” in the canned lima bean, canned mushroom, and pickle standards, and removing “midget” completely from the green olive standards as there is an alternative term. AMS is also replacing the two-term grading system (dual nomenclature) with a single term to describe each quality level in the canned lima bean, canned mushroom, and green olive standards. Editorial changes are also being made to the grade standards that conform to recent changes made in other grade standards.

DATES: Effective May 20, 2019.

FOR FURTHER INFORMATION CONTACT: Lindsay H. Mitchell, USDA, Specialty Crops Inspection Division, 100 Riverside Parkway, Suite 101, Fredericksburg, VA 22406, by phone (540) 361-1120; fax (540) 361-1199; or, email lindsay.mitchell@ams.usda.gov. Copies of the revised U.S. Standards for Grades of Canned Lima Beans, U.S. Standards for Grades of Canned Mushrooms, U.S. Standards for Grades

of Pickles, and U.S. Standards for Grades of Green Olives are available at www.ams.usda.gov/grades-standards/vegetables.

SUPPLEMENTARY INFORMATION: Section 203(c) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1621-1627), as amended, directs and authorizes the Secretary of Agriculture “to develop and improve standards of quality, condition, quantity, grade, and packaging, and recommend and demonstrate such standards in order to encourage uniformity and consistency in commercial practices.”

AMS is committed to carrying out this authority in a manner that facilitates the marketing of agricultural commodities and makes copies of official standards available upon request. The U.S. Standards for Grades of Fruits and Vegetables that no longer appear in the Code of Federal Regulations are maintained by AMS at: <http://www.ams.usda.gov/grades-standards>. AMS is proposing revisions to these U.S. Standards for Grades using the procedures that appear in part 36 of Title 7 of the Code of Federal Regulations (7 CFR part 36).

Background

AMS continually reviews all fruit and vegetable grade standards to ensure their usefulness to the industry, modernize language, and remove duplicative terminology. On May 13, 2013, AMS received a petition from the Little People of America stating they “are trying to raise awareness around and eliminate the use of the word midget.” The petition further stated, “Though the use of the word midget by the USDA when classifying certain food products is benign, Little People of America, and the dwarfism community, hopes that the USDA would consider phasing out the term midget.”

AMS determined that six grade standards contained the term “midget”—U.S. Standards for Grades of Canned Lima Beans, U.S. Standards for Grades of Canned Mushrooms, U.S. Standards for Grades of Pickles, U.S. Standards for Grades of Green Olives, U.S. Standards for Grades of Processed Raisins, and U.S. Standards for Grades of Shelled Pecans. The shelled pecans and processed raisins standards were addressed in two separate rules because additional changes were being made to those standards.