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DEPARTMENT OF AGRICULTURE

Grain Inspection, Packers and Stockyards Administration

Opportunity for Designation in the Cairo (IL), Louisiana, and North Carolina Areas and Request for Comments on the Cairo, Louisiana, and North Carolina Agencies

AGENCY: Grain Inspection, Packers and Stockyards Administration (GIPSA).

ACTION: Notice.

SUMMARY: The United States Grain Standards Act, as amended (Act), provides that official agency designations will end not later than triennially and may be renewed. The designation of Cairo Grain Inspection Agency, Inc. (Cairo), will end October 31, 1998, according to the Act. The designations of the Louisiana Department of Agriculture (Louisiana), and the North Carolina Department of Agriculture (North Carolina) will end September 30, 1998, according to the Act. GIPSA is asking persons interested in providing official services in the Cairo, Louisiana, and North Carolina areas to submit an application for designation. GIPSA is also asking for comments on the services provided by Cairo, Louisiana, and North Carolina.

DATES: Applications must be postmarked or sent by telecopier (FAX) on or before April 30, 1998. Comments are due by June 30, 1998.

ADDRESSES: Applications and comments must be submitted to USDA, GIPSA, Janet M. Hart, Chief, Review Branch, Compliance Division, STOP 3604, Room 1647-S, 1400 Independence Avenue, SW, Washington, DC 20250-3604. Applications and comments may be submitted by FAX on 202-690-2755. If an application is submitted by FAX, GIPSA reserves the right to request an original application. All applications and comments will be made available for public inspection at this address located at 1400 Independence Avenue, SW, during regular business hours.

FOR FURTHER INFORMATION CONTACT: Janet M. Hart, at 202-720-8525.

SUPPLEMENTARY INFORMATION:

This Action has been reviewed and determined not to be a rule or regulation as defined in Executive Order 12866 and Departmental Regulation 1512-1; therefore, the Executive Order and Departmental Regulation do not apply to this Action.

Section 7(f)(1) of the Act authorizes GIPSA's Administrator to designate a qualified applicant to provide official services in a specified area after determining that the applicant is better able than any other applicant to provide such official services. GIPSA designated Cairo, main office located in Cairo, Illinois, to provide official inspection services under the Act on November 1, 1995. GIPSA designated Louisiana, main office located in Pineville, Louisiana, and North Carolina, main office located in Raleigh, North Carolina, to provide official inspection services under the Act on October 1, 1995.

Section 7(g)(1) of the Act provides that designations of official agencies shall end not later than triennially and may be renewed

according to the criteria and procedures prescribed in Section 7(f) of the Act. The designation of Cairo ends on October 31, 1998, according to the Act. The designations of Louisiana and North Carolina end on September 30, 1998, according to the Act.

Pursuant to Section 7(f)(2) of the Act, the following geographic area, in the States of Illinois, Kentucky, and Tennessee, is assigned to Cairo.

Randolph County (southwest of State Route 150 from the Mississippi River north to State Route 3); Jackson County (southwest of State Route 3 southeast to State Route 149; State Route 149 east to State Route 13; State Route 13 southeast to U.S. Route 51; U.S. Route 51 south to Union County); and Alexander, Johnson, Hardin, Massac, Pope, Pulaski, and Union Counties, Illinois.

Ballard, Calloway, Carlisle, Fulton, Graves, Hickman, Livingston, Lyon, Marshall, McCracken, and Trigg Counties, Kentucky.

Benton, Dickson, Henry, Houston, Humphreys, Lake, Montgomery, Obion, Stewart, and Weakley Counties, Tennessee.

Cairo's assigned geographic area does not include the following grain elevator inside Cairo's area which has been and will continue to be serviced by the following official agency: Memphis Grain and Hay Association: Continental Grain Co., Tiptonville, Lake County, Tennessee.

Pursuant to Section 7(f)(2) of the Act, the following geographic area, the entire State of Louisiana, except those export port locations within the State which are serviced by GIPSA, is assigned to Louisiana.

Pursuant to Section 7(f)(2) of the Act, the following geographic area, the entire State of North Carolina, except those export port locations within the State which are serviced by GIPSA, is assigned to North Carolina.

Interested persons, including Cairo, Louisiana, and North Carolina are hereby given the opportunity to apply for designation to provide official services in the geographic areas specified above under the provisions of Section 7(f) of the Act and Sec. 800.196(d) of the regulations issued thereunder. Designation in the Cairo area is for the period beginning November 1, 1998, and ending October 31, 2001. Designations in the Louisiana and North Carolina areas is for the period beginning October 1, 1998, and ending September 30, 2001. Persons wishing to apply for designation should contact the Compliance Division at the address listed above for forms and information.

GIPSA also is publishing this notice to provide interested persons the opportunity to present comments on the Cairo, Louisiana, and North Carolina official agencies. Commentors are encouraged to submit pertinent data concerning the Cairo, Louisiana, and North Carolina official agencies including information concerning the timeliness, cost, quality, and scope of services provided. All comments must be submitted to the Compliance Division at the above address.

Applications, comments, and other available information will be considered in determining which applicant will be designated.

Authority: Pub. L. 94-582, 90 Stat. 2867, as amended (7 U.S.C. 71 et seq.).

Dated: March 23, 1998.

Neil E. Porter,
Director, Compliance Division.
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