

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

#### 7 CFR Part 51

[Docket # AMS-FV-07-0010; FV-06-302]

#### United States Standards for Grades of Sweet Cherries

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

**ACTION:** Advanced notice of proposed rulemaking; withdrawal.

**SUMMARY:** The Agricultural Marketing Service (AMS) is withdrawing the notice soliciting comments on its proposal to amend the voluntary United States Standards for Grades of Sweet Cherries. After reviewing and considering the comments received, the agency has decided not to proceed with this action.

**EFFECTIVE DATE:** December 5, 2007.

**FOR FURTHER INFORMATION CONTACT:** Vincent J. Fusaro, Standardization Section, Fresh Products Branch, (202) 720-2185. The United States Standards for Grades of Sweet Cherries are available by accessing the Fresh Products Branch Web site at: <http://www.ams.usda.gov/standards/stanfrfv.htm>.

#### Background

AMS identified the United States Standards for Grades of Sweet Cherries for possible revisions. The revision would have included adding standardized row sizes into the standard. These standardized row sizes would establish a uniform basis for defining size in the industry. The standards were last revised on May 7, 1971.

On March 30, 2007, AMS published a proposed rule in the **Federal Register** (72 FR 15055) soliciting comments on a possible revision to the United States Standards for Grades of Sweet Cherries. The sixty-day comment period ended May 29, 2007.

Three comments were received. All three comments received, one from a

grower, packer, shipper, another from a separate grower, packer, shipper, and one from an association representing independent wholesale receivers, were in opposition to revising the United States Standards for Grades of Sweet Cherries. The first commenter stated that the current standard has not been a problem as it is currently written. The second commenter stated that adding standardized row sizes would limit the ability of farmers to market their sweet cherry crop. This commenter also stated that the market already enforced sizing standards that are firm but flexible, which is necessary because sweet cherries are highly perishable and subject to fluctuations in crop size and market conditions. The third commenter stated that there was concern about the viability of the proposal. This commenter suggested several different solutions, however, those solutions are not within the scope of this proposal and therefore will not be addressed in this action. These comments are available by accessing the <http://www.regulations.gov> Web site.

After reviewing and considering the comments received, AMS has decided not to proceed with the action. Therefore, the proposed rule published March 30, 2007 (72 FR 15055) is withdrawn.

**Authority:** 7 U.S.C. 1621-1627.

Dated: November 29, 2007.

**Lloyd C. Day,**

*Administrator, Agricultural Marketing Service.*

[FR Doc. E7-23531 Filed 12-4-07; 8:45 am]

**BILLING CODE 3410-02-P**

## PENSION BENEFIT GUARANTY CORPORATION

### 29 CFR Parts 4041 and 4042

**RIN 1212-AB14**

#### Disclosure of Termination Information

**AGENCY:** Pension Benefit Guaranty Corporation.

**ACTION:** Proposed rule.

**SUMMARY:** This is a proposed rule to implement section 506 of the Pension Protection Act of 2006 (Pub. L. 109-280) which amends sections 4041 and 4042 of ERISA. These amendments require that a plan administrator disclose information it has submitted to PBGC in

connection with a distress termination filing, and that a plan administrator or plan sponsor disclose information it has submitted to PBGC in connection with a PBGC-initiated termination. The new provisions also require PBGC to disclose the administrative record in a PBGC-initiated termination. The disclosures must be made to an affected party upon request.

**DATES:** Comments must be submitted on or before February 4, 2008.

**ADDRESSES:** Comments, identified by Regulatory Information Number (RIN 1212-AB14), may be submitted by any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the Web site instructions for submitting comments.

- *E-mail:* [reg.comments@pbgc.gov](mailto:reg.comments@pbgc.gov).

- *Fax:* 202-326-4224.

- *Mail or Hand Delivery:* Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005-4026.

Comments received, including personal information provided, will be posted to <http://www.pbgc.gov>. Copies of comments may also be obtained by writing to Disclosure Division, Office of the General Counsel, Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005-4026, or calling 202-326-4040 during normal business hours. (TTY and TDD users may call the Federal relay service toll-free at 1-800-877-8339 and ask to be connected to 202-326-4040.)

**FOR FURTHER INFORMATION CONTACT:** Kenneth Cooper, Attorney, Office of the General Counsel; or Catherine Klion, Manager, Regulatory and Policy Division, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005-4026; 202-326-4024. (TTY/TDD users may call the Federal relay service toll-free at 1-800-877-8339 and ask to be connected to 202-326-4024.)

#### SUPPLEMENTARY INFORMATION:

#### Background

Pension Benefit Guaranty Corporation ("PBGC") administers the pension plan termination insurance program under Title IV of the Employee Retirement Income Security Act of 1974, as amended ("ERISA"), 29 U.S.C. 1301-1461. Sections 4041 and 4042 of ERISA