

# 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 989

[Doc. No. AMS-FV-08-0042; FV08-989-2 PR]

#### Raisins Produced From Grapes Grown in California; Withdrawal of a Proposed Rule

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

**ACTION:** Withdrawal of proposed rule.

**SUMMARY:** This document withdraws a proposed rule published in the **Federal Register** on July 18, 2008, on use of an estimated trade demand figure to compute volume regulation percentages for 2008–09 Natural (sun-dried) Seedless (NS) raisins covered under the Federal marketing order for California raisins (order). The order regulates the handling of raisins produced from grapes grown in California and is administered locally by the Raisin Administrative Committee (Committee). The proposal provided parameters for implementing volume regulation for 2008–09 NS raisins, if supplies were short, for the purpose of maintaining the industry's export markets and stabilizing the domestic market. Since the 2008–09 NS crop was larger than anticipated, this action is no longer warranted. Therefore, the proposed rule is being withdrawn.

**DATES:** The proposed rule published on July 18, 2008 (73 FR 41302), is withdrawn effective November 25, 2009.

**FOR FURTHER INFORMATION CONTACT:** Rose M. Aguayo, 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:* [Rose.Aguayo@ams.usda.gov](mailto:Rose.Aguayo@ams.usda.gov) or [Kurt.Kimmel@ams.usda.gov](mailto:Kurt.Kimmel@ams.usda.gov).

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:** Marketing Agreement and Order No. 989, both as amended (7 CFR part 989), regulate the handling of raisins produced from grapes 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."

This action withdraws a proposed rule published in the **Federal Register** on July 18, 2008 (73 FR 41302), on use of an estimated trade demand figure to compute volume regulation percentages for 2008–09 NS raisins. Specifically, the proposed rule would have provided parameters for implementing volume regulation for 2008–09 crop NS raisins, if supplies were short, for the purpose of maintaining a raisin reserve pool to support a portion of the industry's export markets and help stabilize the domestic market.

Historically, reserve raisins have been used by the Committee to support market development programs that have strengthened export sales and reduced surpluses, thus stabilizing the domestic market. In two previous years when raisin supplies were low, the Committee recommended an alternative method of calculating its volume control percentages, including the use of an estimated trade demand figure, to ensure that a reserve was maintained and the export programs could continue from year to year.

Subsequent to publication of the proposed rule, the Committee determined that the 2008–09 crop was larger than anticipated and that use of the alternative method for calculating volume control percentages would be unnecessary for that crop year. Therefore, the proposed action is no longer warranted.

Accordingly, the proposed rule regarding use of an estimated trade demand figure to compute volume regulation percentages for 2008–09 NS raisins published in the **Federal Register** July 18, 2008 (73 FR 41302), is hereby withdrawn.

#### List of Subjects in 7 CFR Part 989

Grapes, Marketing agreements, Raisins, Reporting and recordkeeping requirements.

**Authority:** 7 U.S.C. 601-674.

Dated: November 17, 2009.

**Rayne Pegg,**

*Administrator, Agricultural Marketing Service.*

[FR Doc. E9-28149 Filed 11-24-09; 8:45 am]

**BILLING CODE 3410-02-P**

## DEPARTMENT OF HOMELAND SECURITY

### Bureau of Customs and Border Protection

#### DEPARTMENT OF THE TREASURY

#### 19 CFR Parts 113 and 191

[USCBP-2009-0021]

RIN 1505-AC18

#### Drawback of Internal Revenue Excise Tax

**AGENCIES:** Customs and Border Protection, Department of Homeland Security; Department of the Treasury.

**ACTION:** Notice of proposed rulemaking; second extension of comment period.

**SUMMARY:** This document provides a second 30-day extension period for interested parties to submit comments on the proposal to amend title 19 of the Code of Federal Regulations to preclude the filing of substitution drawback claims for internal revenue excise tax paid on imported merchandise in situations where no excise tax was paid upon the substituted merchandise or where the substituted merchandise is the subject of a different claim for refund or drawback of excise tax under any provision of the Internal Revenue Code. The proposed rule was published in the **Federal Register** on October 15, 2009, with comments due on or before November 16, 2009. A related proposed rulemaking prepared by the Alcohol and Tobacco Tax and Trade Bureau (TTB) within the Department of the Treasury was published in the same edition of the **Federal Register**, with comments due on or before December 14, 2009. A subsequent notice extending the time within which the public may submit comments on CBP's proposed

rulemaking to coincide with the December 14, 2009 TTB comment deadline was published in the **Federal Register** (74 FR 57125) on November 4, 2009. In response to a request from the public to provide additional time to prepare comments on the proposed rule, CBP is extending the comment period for an additional 30 days to January 12, 2010.

**DATES:** Comments on the proposed rule must be received on or before January 12, 2010.

**ADDRESSES:** You may submit comments, identified by *USCBP docket number*, by one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments via docket number USCBP-2009-0021.

- *Mail:* Trade and Commercial Regulations Branch, Regulations and Rulings, Office of International Trade, U.S. Customs and Border Protection, 799 9th Street, NW. (Mint Annex), Washington, DC 20229-1179.

*Instructions:* All submissions received must include the agency name and USCBP docket number for this proposed rulemaking. All comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided. For detailed instructions on submitting comments and additional information on the rulemaking process, see the "Public Participation" heading of the **SUPPLEMENTARY INFORMATION** section of this document.

*Docket:* For access to the docket to read background documents or comments received, go to <http://www.regulations.gov>. Submitted comments may also be inspected during regular business days between the hours of 9 a.m. and 4:30 p.m. at the Trade and Commercial Regulations Branch, Regulations and Rulings, Office of International Trade, U.S. Customs and Border Protection, 799 9th Street, NW., 5th Floor, Washington, DC. Arrangements to inspect submitted comments should be made in advance by calling Joseph Clark at (202) 325-0118.

**FOR FURTHER INFORMATION CONTACT:** William Rosoff, Entry Process and Duty Refunds, Regulations and Rulings, Office of International Trade, (202) 325-0047.

**SUPPLEMENTARY INFORMATION:**

**Public Participation**

Interested persons are invited to participate in this rulemaking by submitting written data, views, or arguments on all aspects of the proposed rule. Customs and Border

Protection (CBP) also invites comments that relate to the economic, environmental, or federalism effects that might result from this proposed rule. If appropriate to a specific comment, the commenter should reference the specific portion of the proposed rule, explain the reason for any recommended change, and include data, information, or authority that support such recommended change.

**Background**

Customs and Border Protection (CBP) published a document in the **Federal Register** (74 FR 52928) on October 15, 2009 proposing to amend title 19 of the Code of Federal Regulations to preclude the filing of substitution drawback claims for internal revenue excise tax paid on imported merchandise in situations where no excise tax was paid upon the substituted merchandise or where the substituted merchandise is the subject of a different claim for refund or drawback of excise tax under any provision of the Internal Revenue Code. The document solicited public comment on the proposed amendments, and requested that submitted comments be received by CBP on or before November 16, 2009.

A related proposed rulemaking prepared by the Alcohol and Tobacco Tax and Trade Bureau (TTB) within the Department of the Treasury was published in the same edition of the **Federal Register** (74 FR 52937, October 15, 2009). Comments on TTB's proposed rule are due on or before December 14, 2009.

A subsequent notice extending the time within which the public may submit comments on CBP's proposed rulemaking to coincide with the December 14, 2009 TTB comment deadline was published in the **Federal Register** (74 FR 57125) on November 4, 2009.

*Second Extension of Comment Period*

CBP received a written submission from the trade, dated November 2, 2009, requesting that the comment period be extended for an additional 30 days to provide adequate time to prepare comments on the proposed rule. Upon review, a decision has been made to grant the request. Accordingly, the comment period is extended to January 12, 2010 and comments must be received by CBP on or before that date.

Dated: November 20, 2009.

**Sandra L. Bell,**

*Executive Director, Regulations and Rulings, Office of International Trade, U.S. Customs and Border Protection.*

Approved: November 20, 2009.

**Timothy E. Skud,**

*Deputy Assistant Secretary of the Treasury.*

[FR Doc. E9-28285 Filed 11-24-09; 8:45 am]

**BILLING CODE 9111-14-P**

**DEPARTMENT OF STATE**

**22 CFR Part 126**

[Public Notice: 6813]

**RIN 1400-AC52**

**Amendment to the International Arms Traffic in Arms Regulations: U.S. Government Transfer Programs and Foreign-Owned Military Aircraft and Naval Vessels**

**AGENCY:** Department of State.

**ACTION:** Proposed rule.

**SUMMARY:** The Department of State is proposing to amend Section 126.6 of the International Traffic in Arms Regulations (ITAR) pertaining to U.S. Government transfer programs and foreign-owned military aircraft and naval vessels. Section 126.6 is being amended to clarify the particular circumstances when a license is not required by the Directorate of Defense Trade Controls.

**DATES:** The Department of State will accept comments on this proposed rule until January 25, 2010.

**ADDRESSES:** Interested parties may submit comments within 60 days of the date of the publication by any of the following methods:

- *E-mail:*

[DDTCResponseTeam@state.gov](mailto:DDTCResponseTeam@state.gov) with an appropriate subject line.

- *Mail:* Department of State, Directorate of Defense Trade Controls, Office of Defense Trade Controls Policy, ATTN: Regulatory Change, 126.6, SA-1, 12th Floor, Washington, DC 20522-0112.

Persons with access to the Internet may also view this notice by going to the U.S. Government regulations.gov Web site at <http://regulations.gov/index.cfm>.

**FOR FURTHER INFORMATION CONTACT:**

Director Charles B. Shotwell, Office of Defense Trade Controls Policy, Department of State, Telephone (202) 663-2792 or Fax (202) 261-8199; E-mail [DDTCResponseTeam@state.gov](mailto:DDTCResponseTeam@state.gov). ATTN: Regulatory Change, 126.6.