

expenditures of \$37,400. The assessment rate of \$0.0025 is \$0.0005 lower than the previous rate. This action will allow the Committee to reduce its financial reserve while still providing adequate funding to meet program expenses.

The quantity of assessable potatoes for the 2013–2014 fiscal period is estimated at 10,000,000 hundredweight. Thus, the \$0.0025 rate should provide \$25,000 in assessment income. Income derived from handler assessments, along with interest income and funds from the Committee's authorized reserve, will be adequate to cover budgeted expenses.

The major expenditures recommended by the Committee for the 2013–2014 year include \$20,000 for surveillance inspection (compliance activity), \$4,800 for a management agreement with the Washington State Potato Commission, \$2,500 for committee expense, and \$2,500 for bonds and insurance. These budgeted expenses are the same as those approved for the 2012–2013 fiscal period.

The Committee discussed alternatives to this rule, including alternative expenditure levels, but determined that the recommended expenses were reasonable and necessary to adequately cover program operations. Lower assessment rates were considered, but not recommended because they would reduce the financial reserve more than desired.

A review of historical information and preliminary information pertaining to the upcoming fiscal period indicates that the producer price for the 2013–2014 fiscal period could average \$7.65 per hundredweight of potatoes. Therefore, the estimated assessment revenue for the 2013–2014 fiscal period as a percentage of total producer revenue is 0.0327 percent.

This action decreases the assessment obligation imposed on handlers. Assessments are applied uniformly on all handlers, and some of the costs may be passed on to producers. However, decreasing the assessment rate reduces the burden on handlers, and may reduce the burden on producers. In addition, the Committee's meeting was widely publicized throughout the Washington potato industry. All interested persons were invited to attend the meeting and participate in Committee deliberations on all issues. Like all Committee meetings, the January 30, 2013, meeting was a public meeting. All entities, both large and small, were able to express views on this issue. Finally, interested persons are invited to submit comments on this interim rule, including the

regulatory and informational impacts of this action on small businesses.

In accordance with the Paperwork Reduction Act of 1995, (44 U.S.C. Chapter 35), the order's information collection requirements have been previously approved by the Office of Management and Budget (OMB) and assigned OMB No. 0581–0178, Generic Vegetable and Specialty Crops. No changes in those requirements as a result of this action are necessary. Should any changes become necessary, they would be submitted to OMB for approval.

This action imposes no additional reporting or recordkeeping requirements on either small or large Washington potato handlers. As with all Federal marketing order programs, reports and forms are periodically reviewed to reduce information requirements and duplication by industry and public sector agencies.

AMS is committed to complying with the E-Government Act, to promote the use of the Internet and other information technologies to provide increased opportunities for citizen access to Government information and services, and for other purposes.

USDA has not identified any relevant Federal rules that duplicate, overlap, or conflict with this rule.

A small business guide on complying with fruit, vegetable, and specialty crop marketing agreements and orders may be viewed at: [www.ams.usda.gov/MarketingOrdersSmallBusinessGuide](http://www.ams.usda.gov/MarketingOrdersSmallBusinessGuide). Any questions about the compliance guide should be sent to Jeffrey Smutny at the previously mentioned address in the **FOR FURTHER INFORMATION CONTACT** section.

After consideration of all relevant material presented, including the information and recommendation submitted by the Committee and other available information, it is hereby found that this rule, as hereinafter set forth, will tend to effectuate the declared policy of the Act.

Pursuant to 5 U.S.C. 553, it is also found and determined upon good cause that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice prior to putting this rule into effect, and that good cause exists for not postponing the effective date of this rule until 30 days after publication in the **Federal Register** because: (1) The 2013–2014 fiscal period begins on July 1, 2013, and the marketing order requires that the rate of assessment for each fiscal period apply to all assessable potatoes handled during such fiscal period; (2) this action decreases the assessment rate for assessable potatoes beginning with the

2013–2014 fiscal period; (3) handlers are aware of this action, which was unanimously recommended by the Committee at a public meeting and is similar to other assessment rate actions issued in past years; and (4) this interim rule provides a 60-day comment period, and all comments timely received will be considered prior to finalization of this rule.

#### List of Subjects in 7 CFR Part 946

Marketing agreements, Potatoes, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR part 946 is amended as follows:

#### PART 946—IRISH POTATOES GROWN IN WASHINGTON

■ 1. The authority citation for 7 CFR part 946 continues to read as follows:

**Authority:** 7 U.S.C. 601–674.

■ 2. Section 946.248 is revised to read as follows:

#### § 946.248 Assessment rate.

On and after July 1, 2013, an assessment rate of \$0.0025 per hundredweight is established for Washington potatoes.

Dated: April 23, 2013.

**David R. Shipman,**

*Administrator, Agricultural Marketing Service.*

[FR Doc. 2013–09997 Filed 4–26–13; 8:45 am]

BILLING CODE 3410–02–P

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

#### 7 CFR Part 987

[Docket No. AMS–FV–12–0035; FV12–987–1 FIR]

#### Domestic Dates Produced or Packed in Riverside County, California; Decreased Assessment Rate

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

**ACTION:** Affirmation of interim rule as final rule.

**SUMMARY:** The Department of Agriculture (USDA) is adopting as a final rule, without change, an interim rule that decreased the assessment rate established for the California Date Administrative Committee (Committee) for the 2012–13 and subsequent crop years from \$1.00 to \$0.90 per hundredweight of dates handled. The Committee locally administers the

marketing order which regulates the handling of dates grown or packed in Riverside County, California. Assessments upon date handlers are used by the Committee to fund reasonable and necessary expenses of the program. The crop year begins October 1 and ends September 30. The interim rule was necessary because the 2012–13 crop is expected to be larger than last year's crop and the current assessment rate would generate excess assessment revenues.

**DATES:** Effective April 30, 2013.

**FOR FURTHER INFORMATION CONTACT:**

Kathie M. Notoro, Marketing Specialist, or Martin Engeler, Regional Director, California Marketing Field Office, Marketing Order and Agreement Division, Fruit and Vegetable Program, AMS, USDA; Telephone: (559) 487–5901, Fax: (559) 487–5906, or Email: [Kathie.Notoro@ams.usda.gov](mailto:Kathie.Notoro@ams.usda.gov) or [Martin.Engeler@ams.usda.gov](mailto:Martin.Engeler@ams.usda.gov).

Small businesses may obtain information on complying with this and other marketing order regulations by viewing a guide at the following Web site: <http://www.ams.usda.gov/MarketingOrdersSmallBusinessGuide>; or by contacting Jeffrey Smutny, Marketing Order and Agreement Division, Fruit and Vegetable Program, AMS, USDA, 1400 Independence Avenue SW., STOP 0237, Washington, DC 20250–0237; Telephone: (202) 720–2491, Fax: (202) 720–8938, or Email: [Jeffrey.Smutny@ams.usda.gov](mailto:Jeffrey.Smutny@ams.usda.gov).

**SUPPLEMENTARY INFORMATION:** This rule is issued under Marketing Agreement and Order No. 987, both as amended (7 CFR part 987), regulating the handling of dates produced or packed in Riverside County, 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.”

The Department of Agriculture (USDA) is issuing this rule in conformance with Executive Order 12866.

Under the order, date handlers are subject to assessments, which provide funds to administer the order. It is intended that the assessment rate as issued herein will be applicable to all assessable dates for the entire crop year, and continue until amended, suspended, or terminated. The Committee's crop year begins on October 1 and ends on September 30.

In an interim rule published in the **Federal Register** on January 8, 2013, and effective on January 9, 2013, (78 FR 1130, Doc No. AMS–FV–12–0035; FV12–987–1 IR), § 987.339 was

amended by decreasing the assessment rate established for dates because the 2012–13 crop is expected to be larger than last year's crop and the current assessment rate would generate excess assessment revenues. Assessment revenue, combined with funds from the sale of cull dates and a contribution from the California Date Commission to offset shared marketing expenses, is expected to provide sufficient funds to cover the anticipated expenses.

**Final Regulatory Flexibility Analysis**

Pursuant to requirements set forth in the Regulatory Flexibility Act (RFA) (5 U.S.C. 601–612), the Agricultural Marketing Service (AMS) has considered the economic impact of this rule on small entities. Accordingly, AMS has prepared this final regulatory flexibility analysis.

The purpose of the RFA is to fit regulatory actions to the scale of business subject to such actions in order that small businesses will not be unduly or disproportionately burdened. Marketing orders issued pursuant to the Act, and the rules issued thereunder, are unique in that they are brought about through group action of essentially small entities acting on their own behalf.

There are approximately 79 producers of dates in the production area and 11 handlers subject to regulation under the marketing order. Small agricultural producers are defined by the Small Business Administration (13 CFR 121.201) as those having annual receipts less than \$750,000, and small agricultural service firms are defined as those whose annual receipts are less than \$7,000,000.

According to the National Agricultural Statistics Service (NASS), data for the 2011 crop year shows that about 3.68 tons, or 7,360 pounds, of dates were produced per acre. The 2011 grower price published by the NASS was \$1,320 per ton, or \$.66 per pound. Thus, the value of date production per acre in 2011 averaged about \$4,858 (7,360 pounds times \$.66 per pound). At that average price, a producer would have to farm over 154 acres to receive an annual income from dates of \$750,000 (\$750,000 divided by \$4,858 per acre equals 154 acres). According to Committee staff, the majority of California date producers farm less than 154 acres. Thus, it can be concluded that the majority of date producers could be considered small entities. According to data from the Committee staff, the majority of handlers of California dates may also be considered small entities.

This rule continues in effect the action that decreased the assessment rate established for the Committee and collected from handlers for the 2012–13 and subsequent crop years from \$1.00 to \$0.90 per hundredweight of dates handled. The Committee unanimously recommended 2012–13 expenditures of \$260,000 and an assessment rate of \$0.90 per hundredweight of dates, which is \$0.10 lower than the rate previously in effect. The quantity of assessable dates for the 2012–13 crop year is estimated at 26,500,000 pounds. Thus, the \$0.90 rate should provide \$238,500 in assessment income. Income derived from handler's assessments, along with proceeds from the sale of cull dates and a contribution from the California Date Commission for shared marketing expenses should be adequate to meet the 2012–13 crop year expenses.

Assessments are applied uniformly on all handlers, and some of the costs may be passed on to producers. However, decreasing the assessment rate reduces the burden on handlers, and may reduce the burden on producers.

In addition, the Committee's meeting was widely publicized throughout the California date industry and all interested persons were invited to attend the meeting and participate in Committee deliberations on all issues. Like all Committee meetings, the June 12, 2012, meeting was a public meeting and all entities, both large and small, were able to express views on this issue.

In accordance with the Paperwork Reduction Act of 1995, (44 U.S.C. Chapter 35), the order's information collection requirements have been previously approved by the Office of Management and Budget (OMB) and assigned OMB No. 0581–0178. No changes in those requirements as a result of this action are necessary. Should any changes become necessary, they would be submitted to OMB for approval.

This action imposes no additional reporting or recordkeeping requirements on either small or large Riverside County, California, date handlers. As with all Federal marketing order programs, reports and forms are periodically reviewed to reduce information requirements and duplication by industry and public sector agencies.

USDA has not identified any relevant Federal rules that duplicate, overlap or conflict with this rule.

Comments on the interim rule were required to be received on or before March 11, 2013. No comments were received. Therefore, for reasons given in the interim rule, we are adopting the

interim rule as a final rule, without change.

To view the interim rule, go to: <http://www.regulations.gov/#!documentDetail;D=AMS-FV-12-0035-0001>.

This action also affirms information contained in the interim rule concerning Executive Orders 12866 and 12988, and the E-Gov Act (44 U.S.C. 101).

After consideration of all relevant material presented, it is found that finalizing the interim rule, without change, as published in the **Federal Register** (78 FR 1130, January 8, 2013) will tend to effectuate the declared policy of the Act.

#### List of Subjects in 7 CFR Part 987

Dates, Marketing agreements, Reporting and recordkeeping requirements.

#### PART 987—DATES PRODUCED OR PACKED IN RIVERSIDE COUNTY, CALIFORNIA

■ Accordingly, the interim rule amending 7 CFR part 987, which was published at 78 FR 1130 on January 8, 2013, is adopted as a final rule, without change.

Dated: April 23, 2013.

**David R. Shipman,**

*Administrator, Agricultural Marketing Service.*

[FR Doc. 2013-09999 Filed 4-26-13; 8:45 am]

BILLING CODE 3410-02-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2004-18033; Directorate Identifier 2004-CE-16-AD; Amendment 39-17400; AD 2004-21-08 R1]

RIN 2120-AA64

#### Airworthiness Directives; Cessna Aircraft Company Airplanes

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule; correction.

**SUMMARY:** The FAA is correcting an airworthiness directive (AD) that published in the **Federal Register**. That AD applies to all Cessna Aircraft Company (Cessna) Models 190, 195 (L-126A,B,C), 195A, and 195B airplanes that are equipped with certain inboard aileron hinge brackets. The AD docket number in the preamble section and the rule portion of the AD is incorrect. Also, the statement that no comments on the notice of proposed rulemaking (NPRM)

were received is incorrect. This document corrects these errors. In all other respects, the original document remains the same.

**DATES:** This correction is effective April 29, 2013. The effective date for AD 2004-21-08 R1 remains May 9, 2013.

**ADDRESSES:** You may examine the AD docket on the Internet at <http://www.regulations.gov>; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the regulatory evaluation, any comments received, and other information. The address for the Docket Office (phone: 800-647-5527) is Document Management Facility, U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590.

**FOR FURTHER INFORMATION CONTACT:** Gary Park, Aerospace Engineer, Wichita ACO, FAA, 1801 Airport Road, Wichita, KS 67209; phone: (316) 946-4123; fax: (316) 946-4107; email: [gary.park@faa.gov](mailto:gary.park@faa.gov).

**SUPPLEMENTARY INFORMATION:** AD 2004-21-08 R1, amendment 39-17400 (78 FR 20227, April 4, 2013), currently requires you to repetitively inspect the affected inboard aileron hinge brackets for cracks or corrosion and replace them if cracks or corrosion is found for all Cessna Models 190, 195 (L-126A,B,C), 195A, and 195B airplanes that are equipped with certain inboard aileron hinge brackets. Replacement with aluminum brackets would terminate the need for the repetitive inspections. Future compliance requires following a revised service bulletin that clarifies the casting numbers and part numbers to be inspected.

As published, the AD docket number in the final rule headings and in the headings of the AD is incorrect.

It was incorrectly stated in the comments section that we received no comments on the NPRM (78 FR 1155, January 8, 2013). We received one supportive comment on the NPRM.

No other part of the preamble or regulatory information has been changed; therefore, only the changed portion of the final rule is being published in the **Federal Register**.

The effective date of this AD remains May 9, 2013.

#### Correction of Non-Regulatory Text

In the **Federal Register** of April 4, 2013, AD 2004-21-08 R1; Amendment 39-17400 is corrected as follows:

On page 20227, in the first column, on line 4 in the headings of the final rule, change “Docket No. FAA-2012-18033

\* \* \*.” to “Docket No. FAA-2004-18033 \* \* \*.”

On page 20227, in the third column, beginning on the second line under the “Comments” section, change the second sentence from “We received no comments on the NPRM (78 FR 1155, January 8, 2013) or on the determination of the cost to the public.” to “We received one supportive comment on the NPRM (78 FR 1155, January 8, 2013) and no comments on the determination of the cost to the public.”

#### Correction of Regulatory Text

##### § 39.13 [Corrected]

■ In the **Federal Register** of April 4, 2013, on page 20228, in the second column, the AD headings immediately following the second amendatory instruction are corrected to read as follows:

**2004-21-08 R1 Cessna Aircraft Company:**  
Amendment 39-17400; Docket No. FAA-2004-18033; Directorate Identifier 2004-CE-16-AD.

Issued in Kansas City, Missouri, on April 17, 2013.

**John Colomy,**

*Acting Manager, Small Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 2013-09496 Filed 4-26-13; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 73

[Docket No. FAA-2013-0371; Airspace Docket No. 12-ANM-14]

RIN 2120-AA66

#### Amendment of Restricted Areas R-6703A, B, C, D; and Establishment of Restricted Areas R-6703E, F, G, H, I, and J; WA

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** This action modifies the internal boundaries of R-6703 by further subdividing the airspace from the current four subareas (A through D) to ten subareas (A through J). This change is totally contained within the current outer boundaries of R-6703. The designated altitudes and time of designation remain as currently published. In addition, the name “Fort Lewis, WA,” in the titles of the restricted areas is changed to “Joint Base Lewis-McChord, WA. The name of the using agency is changed from