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DEPARTMENT OF AGRICULTURE

Office of the Secretary

7 CFR Part 6

Adjustment of Appendices to the Dairy Tariff-Rate Import Quota Licensing Regulation for the 2013 Tariff-Rate Quota Year

AGENCY: Office of the Secretary, USDA.

ACTION: Final rule.

SUMMARY: This document sets forth the revised appendices to the Dairy Tariff-Rate Import Quota Licensing Regulation for the 2013 quota year reflecting the cumulative annual transfers from Appendix 1 to Appendix 2 for certain dairy product import licenses permanently surrendered by licensees or revoked by the Licensing Authority.

DATES: *Effective Date:* August 1, 2013.

FOR FURTHER INFORMATION CONTACT: Abdelsalam El-Farra, Dairy Import Licensing Program, Import Policies and Export Reporting Division, U.S.

Department of Agriculture, 1400 Independence Avenue SW., Stop 1021, Washington, DC 20250-1021; or by telephone at (202) 720-9439; or by email at: *abdelsalam.el-farra@fas.usda.gov*.

SUPPLEMENTARY INFORMATION: The Foreign Agricultural Service, under a delegation of authority from the Secretary of Agriculture, administers the Dairy Tariff-Rate Import Quota Licensing Regulation codified at 7 CFR 6.20-6.37 that provides for the issuance of licenses to import certain dairy articles under tariff-rate quotas (TRQs) as set forth in the Harmonized Tariff Schedule of the United States. These dairy articles may only be entered into the United States at the low-tier tariff by or for the account of a person or firm to whom such licenses have been issued and only in accordance with the terms and conditions of the regulation.

Licenses are issued on a calendar year basis, and each license authorizes the license holder to import a specified quantity and type of dairy article from a specified country of origin. The Import Policies and Export Reporting Division, Foreign Agricultural Service, U.S. Department of Agriculture, issues these licenses and, in conjunction with U.S. Customs and Border Protection, U.S. Department of Homeland Security, monitors their use.

The regulation at 7 CFR 6.34(a) states: “Whenever a historical license (Appendix 1) is not issued to an applicant pursuant to the provisions of

§ 6.23, is permanently surrendered or is revoked by the Licensing Authority, the amount of such license will be transferred to Appendix 2.” Section 6.34(b) provides that the cumulative annual transfers will be published in the **Federal Register**. Accordingly, this document sets forth the revised Appendices for the 2013 tariff-rate quota year.

List of Subjects in 7 CFR Part 6

Agricultural commodities, Cheese, Dairy products, Imports, Reporting and recordkeeping requirements.

Issued at Washington, DC the 3rd day of July, 2013.

Ronald Lord,
Licensing Authority.

Accordingly, 7 CFR part 6 is amended as follows:

PART 6—IMPORT QUOTAS AND FEES

■ 1. The authority citation for Part 6, Subpart—Dairy Tariff-Rate Import Quota Licensing continues to read as follows:

Authority: Additional U.S. Notes 6, 7, 8, 12, 14, 16-23 and 25 to Chapter 4 and General Note 15 of the Harmonized Tariff Schedule of the United States (19 U.S.C. 1202), Pub. L. 97-258, 96 Stat. 1051, as amended (31 U.S.C. 9701), and secs. 103 and 404, Pub. L. 103-465, 108 Stat. 4819 (19 U.S.C. 3513 and 3601).

■ 2. Appendices 1, 2 and 3 to Subpart—Dairy Tariff-Rate Import Quota Licensing are revised to read as follows:

ARTICLES SUBJECT TO: APPENDIX 1, HISTORICAL LICENSES; APPENDIX 2, NON-HISTORICAL LICENSES; AND APPENDIX 3, DESIGNATED IMPORTERS LICENSES FOR QUOTA YEAR 2013

[Quantities in kilograms]

	Appendix 1	Appendix 2	Sum of Appendix 1 & 2	Appendix 3		Grand total	HTS
				Tokyo R.	Uruguay R.		Chapter 4/2010
NON-CHEESE ARTICLES:							
BUTTER (NOTE 6)	4,618,233	2,358,767	6,977,000	.....	.....	6,977,000	6,977,000
EU-25	75,000	21,161	96,161	.....	.....	.....	.....
New Zealand	110,045	40,548	150,593	.....	.....	.....	.....
Other Countries	40,211	33,724	73,935	.....	.....	.....	.....
Any Country	4,392,977	2,263,334	6,656,311	.....	.....	.....	.....
DRIED SKIM MILK (NOTE 7) .....	.....	5,261,000	5,261,000	.....	.....	5,261,000	5,261,000
Australia .....	.....	600,076	600,076	.....	.....	.....	.....
Canada .....	.....	219,565	219,565	.....	.....	.....	.....
Any Country .....	.....	4,441,359	4,441,359	.....	.....	.....	.....
DRIED WHOLE MILK (NOTE 8) ..	3,175	3,318,125	3,321,300	.....	.....	3,321,300	3,321,300
New Zealand	3,175	.....	3,175	.....	.....	.....	.....
Any Country .....	.....	3,318,125	3,318,125	.....	.....	.....	.....

ARTICLES SUBJECT TO: APPENDIX 1, HISTORICAL LICENSES; APPENDIX 2, NON-HISTORICAL LICENSES; AND APPENDIX 3, DESIGNATED IMPORTERS LICENSES FOR QUOTA YEAR 2013—Continued

[Quantities in kilograms]

	Appendix 1	Appendix 2	Sum of Appendix 1 & 2	Appendix 3		Grand total	HTS
				Tokyo R.	Uruguay R.		Chapter 4/2010
DRIED BUTTERMILK/WHEY (NOTE 12)		224,981	224,981			224,981	224,981
Canada		161,161	161,161				
New Zealand		63,820	63,820				
BUTTER SUBSTITUTES CONTAINING OVER 45 PERCENT OF BUTTERFAT AND/OR BUTTER OIL (NOTE 14)		6,080,500	6,080,500			6,080,500	6,080,500
Any Country		6,080,500	6,080,500				
TOTAL: NON-CHEESE ARTICLES	4,621,408	17,243,373	21,864,781			21,864,781	21,864,781
CHEESE ARTICLES:							
CHEESE AND SUBSTITUTES FOR CHEESE (EXCEPT: SOFT RIPENED COW'S MILK CHEESE; CHEESE NOT CONTAINING COW'S MILK; CHEESE (EXCEPT COTTAGE CHEESE) CONTAINING 0.5 PERCENT OR LESS BY WEIGHT OF BUTTERFAT; AND, ARTICLES WITHIN THE SCOPE OF OTHER IMPORT QUOTAS PROVIDED FOR IN THIS SUBCHAPTER) (OT—NOTE 16)	21,290,334	10,179,397	31,469,731	9,661,128	7,496,000	48,626,859	48,626,859
Argentina	7,690	0	7,690	92,310		100,000	100,000
Australia	535,628	5,542	541,170	758,830	1,750,000	3,050,000	3,050,000
Canada	977,439	163,561	1,141,000			1,141,000	1,141,000
Costa Rica		0	0		1,550,000	1,550,000	1,550,000
EU-25	15,609,021	7,658,635	23,267,656	1,132,568	3,446,000	27,846,224	27,493,224
Of which Portugal is:	65,838	63,471	129,309	223,691		353,000	353,000
Israel	79,696	0	79,696	593,304		673,000	673,000
Iceland	294,000	0	294,000	29,000		323,000	323,000
New Zealand	2,910,180	1,905,292	4,815,472	6,506,528		11,322,000	11,322,000
Norway	124,982	25,018	150,000			150,000	150,000
Switzerland	584,954	86,458	671,412	548,588	500,000	1,720,000	1,720,000
Uruguay		0	0		250,000	250,000	250,000
Other Countries	100,906	100,729	201,635			201,635	201,635
Any Country		300,000	300,000			300,000	300,000
BLUE-MOLD CHEESE (EXCEPT STILTON PRODUCED IN THE UNITED KINGDOM) AND CHEESE AND SUBSTITUTES FOR CHEESE CONTAINING, OR PROCESSED FROM, BLUE-MOLD CHEESE (B—NOTE 17)	2,278,657	202,344	2,481,001		430,000	2,911,001	2,911,001
Argentina	2,000	0	2,000			2,000	2,000
EU-25	2,276,657	202,343	2,479,000		350,000	2,829,000	2,829,000
Chile			0		80,000	80,000	80,000
Other Countries		1	1			1	1
CHEDDAR CHEESE, AND CHEESE AND SUBSTITUTES FOR CHEESE CONTAINING, OR PROCESSED FROM, CHEDDAR CHEESE (C—NOTE 18)	2,775,728	1,508,128	4,283,856	519,033	7,620,000	12,422,889	12,422,889
Australia	897,786	86,713	984,499	215,501	1,250,000	2,450,000	2,450,000
Chile		0	0		220,000	220,000	220,000
EU-25	52,404	210,596	263,000		1,050,000	1,313,000	1,313,000
New Zealand	1,723,925	1,072,543	2,796,468	303,532	5,100,000	8,200,000	8,200,000
Other Countries	101,613	38,276	139,889			139,889	139,889
Any Country		100,000	100,000			100,000	100,000

ARTICLES SUBJECT TO: APPENDIX 1, HISTORICAL LICENSES; APPENDIX 2, NON-HISTORICAL LICENSES; AND APPENDIX 3, DESIGNATED IMPORTERS LICENSES FOR QUOTA YEAR 2013—Continued

[Quantities in kilograms]

	Appendix 1	Appendix 2	Sum of Appendix 1 & 2	Appendix 3		Grand total	HTS
				Tokyo R.	Uruguay R.		Chapter 4/2010
AMERICAN-TYPE CHEESE, INCLUDING COLBY, WASHED CURD AND GRANULAR CHEESE (BUT NOT INCLUDING CHEDDAR) AND CHEESE AND SUBSTITUTES FOR CHEESE CONTAINING OR PROCESSED FROM SUCH AMERICAN-TYPE CHEESE (A—NOTE 19)	2,665,482	500,071	3,165,553	357,003	0	3,522,556	3,522,556
Australia	761,890	119,108	880,998	119,002	.....	1,000,000	1,000,000
EU-25	145,147	208,853	354,000	.....	.....	354,000	354,000
New Zealand	1,607,804	154,195	1,761,999	238,001	.....	2,000,000	2,000,000
Other Countries	150,641	17,915	168,556	.....	.....	168,556	168,556
EDAM AND GOUDA CHEESE, AND CHEESE AND SUBSTITUTES FOR CHEESE CONTAINING, OR PROCESSED FROM, EDAM AND GOUDA CHEESE (E—NOTE 20)	4,795,823	810,579	5,606,402	0	1,210,000	6,816,402	6,816,402
Argentina	110,495	14,505	125,000	.....	110,000	235,000	235,000
EU-25	4,569,520	719,480	5,289,000	.....	1,100,000	6,389,000	6,389,000
Norway	111,046	55,954	167,000	.....	.....	167,000	167,000
Other Countries	4,762	20,640	25,402	.....	.....	25,402	25,402
ITALIAN-TYPE CHEESES, MADE FROM COW'S MILK, (ROMANO MADE FROM COW'S MILK, REGGIANO, PARMESAN, PROVOLONE, PROVOLETTI, SBRINZ, AND GOYA—NOT IN ORIGINAL LOAVES) AND CHEESE AND SUBSTITUTES FOR CHEESE CONTAINING, OR PROCESSED FROM, SUCH ITALIAN-TYPE CHEESES, WHETHER OR NOT IN ORIGINAL LOAVES (D—NOTE 21)	6,386,711	1,133,836	7,520,547	795,517	5,165,000	13,481,064	13,481,064
Argentina	3,899,395	226,088	4,125,483	367,517	1,890,000	6,383,000	6,383,000
EU-25	2,487,316	894,684	3,382,000	.....	2,025,000	5,407,000	5,407,000
Romania .....	.....	0	0	.....	500,000	500,000	500,000
Uruguay .....	.....	0	0	428,000	750,000	1,178,000	1,178,000
Other Countries .....	.....	13,064	13,064	.....	.....	13,064	13,064
SWISS OR EMMENTHALER CHEESE OTHER THAN WITH EYE FORMATION, GRUYERE-PROCESS CHEESE AND CHEESE AND SUBSTITUTES FOR CHEESE CONTAINING, OR PROCESSED FROM, SUCH CHEESES (GR—NOTE 22)	5,254,360	1,396,954	6,651,314	823,519	380,000	7,854,833	7,854,833
EU-25	3,986,207	1,165,787	5,151,994	393,006	380,000	5,925,000	5,925,000
Switzerland	1,234,655	184,832	1,419,487	430,513	.....	1,850,000	1,850,000
Other Countries	33,498	46,335	79,833	.....	.....	79,833	79,833
CHEESE AND SUBSTITUTES FOR CHEESE, CONTAINING 0.5 PERCENT OR LESS BY WEIGHT OF BUTTERFAT (EXCEPT ARTICLES WITHIN THE SCOPE OF OTHER TARIFF-RATE QUOTAS PROVIDED FOR IN THIS SUBCHAPTER), AND MARGARINE CHEESE (LF—NOTE 23)	1,840,852	2,584,056	4,424,918	1,050,000	0	5,474,908	5,474,908

ARTICLES SUBJECT TO: APPENDIX 1, HISTORICAL LICENSES; APPENDIX 2, NON-HISTORICAL LICENSES; AND APPENDIX 3, DESIGNATED IMPORTERS LICENSES FOR QUOTA YEAR 2013—Continued

[Quantities in kilograms]

	Appendix 1	Appendix 2	Sum of Appendix 1 & 2	Appendix 3		Grand total	HTS
				Tokyo R.	Uruguay R.		Chapter 4/2010
EU-25	1,840,852	2,584,055	4,424,907	.....	.....	4,424,907	4,424,907
Israel .....	.....	0	0	50,000	.....	50,000	50,000
New Zealand .....	.....	0	0	1,000,000	.....	1,000,000	1,000,000
Other Countries .....	.....	1	1	.....	.....	1	1
SWISS OR EMMENTHALER CHEESE WITH EYE FORMATION (SW—NOTE 25)	15,337,670	6,959,661	22,297,331	9,557,945	2,620,000	34,475,276	34,475,276
Argentina .....	.....	9,115	9,115	70,885	.....	80,000	80,000
Australia	209,698	0	209,698	290,302	.....	500,000	500,000
Canada .....	.....	0	0	70,000	.....	70,000	70,000
EU-25	10,979,785	5,497,043	16,476,828	4,003,172	2,420,000	22,900,000	22,900,000
Iceland	149,999	0	149,999	150,001	.....	300,000	300,000
Israel	27,000	0	27,000	.....	.....	27,000	27,000
Norway	3,159,885	495,425	3,655,310	3,227,690	.....	6,883,000	6,883,000
Switzerland	763,050	921,055	1,684,105	1,745,895	200,000	3,630,000	3,630,000
Other Countries	48,253	37,023	85,276	.....	.....	85,276	85,276
TOTAL: CHEESE ARTICLES	62,625,617	25,275,026	87,900,653	22,764,145	24,921,000	135,585,788	135,585,788
TOTAL: CHEESE & NON-CHEESE	67,247,025	42,518,399	109,765,434	22,764,145	24,921,000	157,450,569	157,450,569

[FR Doc. 2013-18568 Filed 7-31-13; 8:45 am]
BILLING CODE 3410-10-P

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 930

[Doc. No. AMS-FV-13-0030; FV13-930-2 IR]

Tart Cherries Grown in the States of Michigan, New York, Pennsylvania, Oregon, Utah, Washington, and Wisconsin; Revising Handler Reporting and Grower Diversion Requirements

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Interim rule with request for comments.

SUMMARY: This rule invites comments on changes to handler reporting and grower diversion requirements prescribed under the marketing order for tart cherries grown in the States of Michigan, New York, Pennsylvania, Oregon, Utah, Washington, and Wisconsin (order). The Cherry Industry Administrative Board (Board) locally administers the order. This rule changes the deadline for submitting the handler reserve plan from November 1 to October 1 and extends the deadline for redeeming or transferring grower diversion certificates from November 1

to June 30 of a given crop year. A crop year is the 12-month period beginning on July 1 of any crop year and ending on June 30 of the following year. These changes will provide the industry with a more complete and timely picture of the available supply earlier in the season and give handlers more time and flexibility in meeting their obligations under volume regulation.

DATES: Effective August 2, 2013; comments received by September 30, 2013 will be considered prior to issuance of a final rule.

ADDRESSES: Interested persons are invited to submit written comments concerning this rule. Comments must be sent to the Docket Clerk, Marketing Order and Agreement Division, Fruit and Vegetable Program, AMS, USDA, 1400 Independence Avenue SW., STOP 0237, Washington, DC 20250-0237; Fax: (202) 720-8938; or Internet: <http://www.regulations.gov>. All comments should reference the document number and the date and page number of this issue of the **Federal Register** and will be made available for public inspection in the Office of the Docket Clerk during regular business hours, or can be viewed at: <http://www.regulations.gov>. All comments submitted in response to this rule will be included in the record and will be made available to the public. Please be advised that the identity of the individuals or entities submitting the comments will be made public on the internet at the address provided above.

FOR FURTHER INFORMATION CONTACT:

Jennie M. Varela, Marketing Specialist, or Christian D. Nissen, Regional Director, Southeast Marketing Field Office, Marketing Order and Agreement Division, Fruit and Vegetable Program, AMS, USDA; Telephone: (863) 324-3375, Fax: (863) 325-8793, or Email: Jennie.Varela@ams.usda.gov or Christian.Nissen@ams.usda.gov.

Small businesses may request information on complying with this regulation 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.

SUPPLEMENTARY INFORMATION: This rule is issued under Marketing Order and Agreement No. 930, as amended (7 CFR part 930), regulating the handling of tart cherries grown in the States of Michigan, New York, Pennsylvania, Oregon, Utah, Washington, and Wisconsin, 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.

This rule has been reviewed under Executive Order 12988, Civil Justice