

# Rules and Regulations

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## OFFICE OF GOVERNMENT ETHICS

### 5 CFR Part 2641

RIN 3209-AA14

#### Post-Employment Conflict of Interest Regulations; Exempted Senior Employee Positions; Withdrawal of Final Rule

**AGENCY:** Office of Government Ethics (OGE).

**ACTION:** Withdrawal of final rule.

**SUMMARY:** The Office of Government Ethics is withdrawing the final rule "Post-Employment Conflict of Interest Regulations; Exempted Senior Employee Positions" published October 3, 2013, at 78 FR 61153.

**DATES:** *Effective Date:* The final rule published on October 3, 2013, at 78 FR 61153 is withdrawn, effective November 25, 2013.

**FOR FURTHER INFORMATION CONTACT:** Christopher J. Swartz, Assistant Counsel, Ethics Law & Policy Branch, Office of Government Ethics; telephone: 202-482-9300; TTY: 800-877-8339; FAX: 202-482-9237.

**SUPPLEMENTARY INFORMATION:** On October 3, 2013, the U.S. Office of Government Ethics (OGE) published a final rule in the **Federal Register**, at 78 FR 61153, concerning the revocation of certain regulatory exemptions of senior employee positions at the Securities and Exchange Commission (SEC) from the one-year post-employment restrictions of 18 U.S.C. 207(c) and (f). Pursuant to the rulemaking action taken on October 3, 2013, the revocation of regulatory exemptions for covered positions at the SEC, as well as the removal of those exempted positions from Appendix A to 5 CFR part 2641, was to be effective on January 2, 2014. At the request of the SEC, OGE is now withdrawing its final rule of October 3, 2013, to allow the SEC time to effectively educate affected

employees before the exemption revocation takes effect. For that reason, the notice of revocation is being rescinded and the final rule withdrawn. Positions that would have been affected by the issuance of October 3, 2013, shall continue to be exempted from the prohibitions of 18 U.S.C. 207(c) and (f), until 90 days from such time that OGE republishes notice of revocation in the **Federal Register**. OGE anticipates republishing this notice and final rule in January 2014.

Approved: November 19, 2013.

**Walter M. Shaub, Jr.,**

*Director, Office of Government Ethics.*

[FR Doc. 2013-28156 Filed 11-22-13; 8:45 am]

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## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

#### 7 CFR Part 948 and Part 980

[Doc. No. AMS-FV-13-0001; FV13-948-1 FIR]

#### Irish Potatoes Grown in Colorado; Modification of the General Cull and Handling Regulation for Area No. 2

**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 modified the size requirements for potatoes handled under the Colorado potato marketing order, Area No. 2 (order). The order regulates the handling of Irish potatoes grown in Colorado and is administered locally by the Colorado Potato Administrative Committee, Area No. 2 (Committee). The interim rule revised the 1-inch minimum to 1<sup>3</sup>/<sub>4</sub>-inch maximum diameter size allowance for U.S. Commercial and better grade potatoes contained in the order's handling regulation for Area No. 2 to <sup>3</sup>/<sub>4</sub>-inch minimum to 1<sup>5</sup>/<sub>8</sub>-inch maximum diameter. In addition, this action revised the minimum size requirement under the order's general cull regulation to <sup>3</sup>/<sub>4</sub>-inch diameter. As required under section 8e of the Agricultural Marketing Agreement Act of 1937, this action also revised the size requirements for imported round type potatoes, other

than red-skinned varieties. This change is expected to facilitate the handling and marketing of the Area No. 2 potato crop; provide producers, handlers, and importers with increased returns; and offer consumers increased potato purchasing options.

**DATES:** Effective November 26, 2013.

**FOR FURTHER INFORMATION CONTACT:** Sue Coleman, Marketing Specialist, or Gary D. Olson, Regional Director, Northwest Marketing Field Office, Marketing Order and Agreement Division, Fruit and Vegetable Program, AMS, USDA; Telephone: (503) 326-2724, Fax: (503) 326-7440, or Email: [Sue.Coleman@ams.usda.gov](mailto:Sue.Coleman@ams.usda.gov) or [GaryD.Olson@ams.usda.gov](mailto:GaryD.Olson@ams.usda.gov).

Small businesses may obtain information on complying with this and other marketing order and agreement 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 No. 97 and Marketing Order No. 948, both as amended (7 CFR part 948), regulating the handling of Irish potatoes grown in Colorado and 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 rule is also issued under section 8e of the Act, which provides that whenever certain specified commodities, including potatoes, are regulated under a Federal marketing order, imports of these commodities into the United States are prohibited unless they meet the same or comparable grade, size, quality, or maturity requirements as those in effect for the domestically produced commodities.

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

The handling of potatoes grown in Area No. 2 of Colorado is regulated by