

Rules and Regulations

Federal Register

Vol. 81, No. 80

Tuesday, April 26, 2016

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

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OFFICE OF PERSONNEL MANAGEMENT

5 CFR Part 532

RIN 3206–AN26

Prevailing Rate Systems; Abolishment of the Newburgh, NY, Appropriated Fund Federal Wage System Wage Area

AGENCY: U.S. Office of Personnel Management.

ACTION: Final rule.

SUMMARY: The U.S. Office of Personnel Management (OPM) is issuing a final rule to abolish the Newburgh, New York, appropriated fund Federal Wage System (FWS) wage area and redefine Orange County, NY, to the New York, NY, survey area; Dutchess County, NY, to the New York area of application; Delaware and Ulster Counties, NY, to the Albany-Schenectady-Troy, NY, area of application; and Sullivan County, NY, to the Scranton-Wilkes-Barre, Pennsylvania, area of application. These changes are based on a consensus recommendation of the Federal Prevailing Rate Advisory Committee (FPRAC) to best match the counties proposed for redefinition to nearby FWS survey areas.

DATES: *Effective date:* This rule is effective on April 26, 2016.

Applicability date: This change applies on the first day of the first applicable pay period beginning on or after May 26, 2016.

FOR FURTHER INFORMATION CONTACT: Madeline Gonzalez, by telephone at (202) 606–2838 or by email at pay-leave-policy@opm.gov.

SUPPLEMENTARY INFORMATION: On November 30, 2015, OPM issued a proposed rule (80 FR 74715) to abolish the Newburgh, NY, appropriated fund FWS wage area and redefine Orange County, NY, to the New York, NY, survey area; Dutchess County, NY, to

the New York area of application; Delaware and Ulster Counties, NY, to the Albany-Schenectady-Troy, NY, area of application; and Sullivan County, NY, to the Scranton-Wilkes-Barre, PA, area of application. FPRAC, the national labor-management committee responsible for advising OPM on matters concerning the pay of FWS employees, reviewed and recommended this change by consensus.

The 30-day comment period ended on December 30, 2015. OPM received one comment in support of the proposal and one comment regarding the effective date of the proposed change recommending retroactive applicability.

OPM defines wage areas through regulation in 5 CFR part 532. Changes in OPM's regulations are prospective, not retroactive, following an appropriate period for public comment. These changes will apply on the first day of the first applicable pay period beginning on or after 30 days following publication of the final regulations.

Regulatory Flexibility Act

I certify that these regulations will not have a significant economic impact on a substantial number of small entities because they will affect only Federal agencies and employees.

List of Subjects in 5 CFR Part 532

Administrative practice and procedure, Freedom of information, Government employees, Reporting and recordkeeping requirements, Wages.

U.S. Office of Personnel Management.

Beth F. Cobert,

Acting Director.

Accordingly, OPM is amending 5 CFR part 532 as follows:

PART 532—PREVAILING RATE SYSTEMS

■ 1. The authority citation for part 532 continues to read as follows:

Authority: 5 U.S.C. 5343, 5346; § 532.707 also issued under 5 U.S.C. 552.

Appendix A to Subpart B of Part 532— [Amended]

■ 2. Appendix A to subpart B of part 532 is amended for the State of New York by removing the entry for Newburgh.

■ 3. Appendix C to subpart B is amended by revising the wage area listing for the Albany-Schenectady-

Troy, NY; New York, NY; and Scranton-Wilkes-Barre, PA, wage areas and removing the wage area listing for Newburgh, NY,

The revisions read as follows:

Appendix C to Subpart B of Part 532— Appropriated Fund Wage and Survey Areas

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NEW YORK

Albany-Schenectady-Troy

Survey Area

New York:
Albany
Montgomery
Rensselaer
Saratoga
Schenectady

Area of Application. Survey area plus:

New York:
Columbia
Delaware
Fulton
Greene
Schoharie
Ulster
Warren
Washington

* * * * *

New York

Survey Area

New Jersey:
Bergen
Essex
Hudson
Middlesex
Morris
Passaic
Somerset
Union

New York:
Bronx
Kings
Nassau
New York
Orange
Queens
Suffolk
Westchester

Area of Application. Survey area plus:

New Jersey:
Hunterdon
Monmouth
Ocean (Excluding the Fort Dix Military Reservation)
Sussex

New York:
Dutchess
Putnam
Richmond
Rockland
Pennsylvania:

Pike

* * * * *

PENNSYLVANIA**Scranton-Wilkes-Barre***Survey Area*

Pennsylvania:
Lackawanna
Luzerne
Monroe

Area of Application. Survey area plus:

New York:

Sullivan

Pennsylvania:

Bradford

Columbia

Lycoming (Excluding Allenwood Federal
Prison Camp)

Montour

Sullivan

Susquehanna

Wayne

Wyoming

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[FR Doc. 2016-09702 Filed 4-25-16; 8:45 am]

BILLING CODE 6325-39-P

DEPARTMENT OF AGRICULTURE**Agricultural Marketing Service****7 CFR Parts 925 and 944**[Doc. No. AMS-FV-14-0100; FV15-925-1
FR]**Grapes Grown in a Designated Area of
Southeastern California and Imported
Table Grapes; Revision to the
Administrative Rules and Regulations
for Shipments to Charitable
Organizations****AGENCY:** Agricultural Marketing Service,
USDA.**ACTION:** Final rule.

SUMMARY: This rule implements a recommendation from the California Desert Grape Administrative Committee (Committee) to revise the administrative rules and regulations of the Federal marketing order for grapes grown in a designated area of southeastern California (order) and the table grape import regulation. The Committee locally administers the order and is comprised of producers and handlers of grapes grown in the production area. This rule allows handlers and importers to ship grapes that do not meet the minimum grade and size quality requirements to be donated to charitable organizations. Any such grapes shall not be used for resale. The import regulation is authorized under section 608e of the Agricultural Marketing Agreement Act of 1937 and regulates the importation of table grapes into the United States. This

final rule provides an additional outlet for grapes regulated under the order and assists USDA's efforts to reduce food waste in support of the U.S. Food Waste Challenge.

DATES: Effective May 26, 2016.**FOR FURTHER INFORMATION CONTACT:**

Kathie Notoro, Marketing Specialist, or
Jeffrey Smutny, Regional Director,
California Marketing Field Office,
Marketing Order and Agreement
Division, Specialty Crops Program,
AMS, USDA, 1400 Independence
Avenue SW., Stop 0237, Washington,
DC 20250-0237; Telephone: (202) 720-
2491, Fax: (202) 720-8938, or Email:
Kathie.Notoro@ams.usda.gov or
Jeffrey.Smutny@ams.usda.gov.

Small businesses may request
information on complying with this
regulation by contacting Antoinette
Carter, Marketing Order and Agreement
Division, Specialty Crops Program,
AMS, USDA, 1400 Independence
Avenue SW., STOP 0237, Washington,
DC 20250-0237; Telephone: (202) 720-
2491, Fax: (202) 720-8938, or Email:
Antoinette.Carter@ams.usda.gov.

SUPPLEMENTARY INFORMATION: This final
rule is issued under Marketing Order
No. 925 (7 CFR part 925), regulating the
handling of table grapes grown in a
designated area of southeastern
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 final rule is also issued under
section 608e (8e) of the Act, which
provides that whenever certain
specified commodities, including table
grapes, 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 Orders
12866, 13563, and 13175.

This final rule has been reviewed
under Executive Order 12988, Civil
Justice Reform. This rule is not intended
to have retroactive effect.

The Act provides that administrative
proceedings must be exhausted before
parties may file suit in court. Under
section 608c(15)(A) of the Act, any
handler subject to an order may file
with USDA a petition stating that the
order, any provision of the order, or any
obligation imposed in connection with
the order is not in accordance with law
and request a modification of the order

or to be exempted therefrom. A handler
is afforded the opportunity for a hearing
on the petition. After the hearing, USDA
would rule on the petition. The Act
provides that the district court of the
United States in any district in which
the handler is an inhabitant, or has his
or her principal place of business, has
jurisdiction to review USDA's ruling on
the petition, provided an action is filed
not later than 20 days after the date of
the entry of the ruling.

There are no administrative
procedures which must be exhausted
prior to any judicial challenge to the
provisions of import regulations issued
under section 8e of the Act.

This final rule revises the order's
administrative rules and regulations and
the import regulations to allow handlers
and importers to ship grapes that do not
meet the minimum grade and size
quality requirements to be donated to
charitable organizations. Any such
grapes shall not be used for resale. This
action provides an additional outlet for
grapes regulated under the order and
supports USDA's efforts to reduce food
waste under the U.S. Food Waste
Challenge. The change in the import
regulation is required under section 8e
of the Act. These actions were
unanimously recommended by the
Committee following deliberations at a
public meeting held on November 5,
2013, and a required new Food
Donation Form (CDGAC Form No. 8)
was subsequently approved at a meeting
held on October 30, 2014.

Section 925.54 of the order provides
that regulations in effect pursuant to
§ 925.41, § 925.52, or § 925.55 may be
modified, suspended, or terminated to
facilitate handling of grapes for
purposes which may be recommended
by the Committee and approved by the
Secretary, and that rules, regulations,
and safeguards shall be prescribed to
prevent grapes handled under the
provisions of this section from entering
the channels of trade for other than the
specific purposes authorized by this
section.

This final rule amends § 925.304 of
the administrative rules and regulations
to provide an outlet for grapes failing to
meet inspection and quality
requirements. The final rule allows
handlers to donate such grapes to
charitable organizations. Any such
grapes may not be used for resale.

Accordingly, to prohibit such donated
grapes from being sold, and to prevent
other unauthorized distribution of such
shipments, the Committee developed
CDGAC Form No. 8 to track the
shipment of these grapes and verify
their receipt by the intended charitable
organization.