

requirements have been approved by the Office of Management and Budget under OMB Control No. 0581-0178, Vegetable and Specialty Crops. Accordingly, this action would not impose any additional reporting or recordkeeping requirements on either small or large spearmint oil producers and 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.

In addition, the Committee's meeting was widely publicized throughout the spearmint oil industry and all interested persons were invited to attend the meeting and participate in Committee deliberations on all issues. Like all Committee meetings, the October 15, 2008, meeting was a public meeting and all entities, both large and small, were able to express views on this issue.

A proposed rule concerning this action was published in the **Federal Register** on January 14, 2009 (74 FR 1971). Copies of the rule were provided to Committee staff, which in turn made it available to spearmint oil producers, handlers, and other interested persons. Finally, the rule was made available through the Internet by USDA and the Office of the Federal Register. A 60-day comment period, ending March 16, 2009, was provided to allow interested persons to respond to the proposal. No comments were received.

A small business guide on complying with fruit, vegetable, and specialty crop marketing agreements and orders may be viewed at: <http://www.ams.usda.gov/AMSV1.0/ams.fetchTemplateData.do?template=TemplateN&page=MarketingOrdersSmallBusinessGuide>. Any questions about the compliance guide should be sent to Jay Guerber at the previously mentioned address in the **FOR FURTHER INFORMATION CONTACT** section.

After consideration of all relevant matter 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.

#### List of Subjects in 7 CFR Part 985

Marketing agreements, Oils and fats, Reporting and recordkeeping requirements, Spearmint oil.

■ For the reasons set forth in the preamble, 7 CFR Part 985 is amended as follows:

#### PART 985—MARKETING ORDER REGULATING THE HANDLING OF SPEARMINT OIL PRODUCED IN THE FAR WEST

■ 1. The authority citation for 7 CFR Part 985 continues to read as follows:

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

■ 2. A new § 985.228 is added to read as follows:

**Note:** This section will not appear in the Code of Federal Regulations.

#### § 985.228 Salable quantities and allotment percentages—2009-2010 marketing year.

The salable quantity and allotment percentage for each class of spearmint oil during the marketing year beginning on June 1, 2009, shall be as follows:

(a) Class 1 (Scotch) oil—a salable quantity of 842,171 pounds and an allotment percentage of 42 percent.

(b) Class 3 (Native) oil—a salable quantity of 1,196,109 pounds and an allotment percentage of 53 percent.

Dated: April 6, 2009.

Robert C. Keeney,

Acting Associate Administrator.

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#### SOCIAL SECURITY ADMINISTRATION

##### 20 CFR Parts 403 and 429

[Docket No. SSA-2009-0015]

RIN 0960-AG99

#### Testimony by Employees and the Production of Records and Information in Legal Proceedings, Claims Against the Government Under the Federal Tort Claims Act, and Claims Under the Military Personnel and Civilian Employees' Claim Act of 1964; Change of Address for Requests

**AGENCY:** Social Security Administration.

**ACTION:** Final rule.

**SUMMARY:** This final rule updates the address of the post office boxes used to file applications for testimony of a Social Security Administration (SSA) employee and claims made pursuant to either the Federal Tort Claims Act or the Military Personnel and Civilian Employees' Claims Act of 1964.

**DATES:** This final rule is effective April 10, 2009.

#### FOR FURTHER INFORMATION CONTACT:

Suzanne DiMarino, Office of Regulations, Social Security Administration, 6401 Security Boulevard, Baltimore, Maryland 21235-6401. Call (410) 965-1769 for further information about these rules. For information on eligibility or filing for benefits, call our national toll-free number, 1-800-772-1213 or TTY 1-800-325-0778, or visit our Internet Web site, Social Security Online, at <http://www.socialsecurity.gov>.

#### SUPPLEMENTARY INFORMATION:

##### Electronic Version

The electronic file of this document is available on the date of publication in the **Federal Register** at <http://www.gpoaccess.gov/fr/index.html>.

##### Why are we revising these rules?

Our regulations currently provide that if you would like an SSA employee to testify in a legal proceeding to which we are not a party, you must mail an application to a specific post office box address. 20 CFR 403.102(c). We established a separate post office box address for filing claims against the government under either the Federal Tort Claims Act or the Military Personnel and Civilian Employees' Claims Act of 1964. 20 CFR 429.102 and 202. We are updating our regulations to reflect changes in the address for these post office boxes. We are not making any substantive changes to the regulations.

#### Regulatory Procedures

##### Justification for Final Rule

We follow the Administrative Procedure Act (APA) rulemaking procedures specified in 5 U.S.C. 553 in the development of our regulations. The Social Security Act, 702(a)(5); 42 U.S.C. 902(a)(5). The APA provides exceptions to its prior notice and public comment procedures when an agency finds there is good cause for dispensing with such procedures on the basis that they are impracticable, unnecessary, or contrary to the public interest.

In the case of this final rule, we have determined that good cause exists for dispensing with the notice and public comment procedures because such procedures are unnecessary. 5 U.S.C. 553(b)(B).

##### Executive Order 12866

We have consulted with the Office of Management and Budget (OMB) and determined that this final rule does not meet the criteria for a significant

regulatory action under Executive Order 12866. Thus, it was not subject to OMB review.

#### *Regulatory Flexibility Act*

We certify that this final rule will not have a significant economic impact on a substantial number of small entities because they affect only individuals. Thus, a regulatory flexibility analysis as provided in the Regulatory Flexibility Act, as amended, is not required.

#### *Paperwork Reduction Act*

These proposed rules do not pose any public reporting requirements and are, therefore, not subject to the requirements of the Paperwork Reduction Act.

(Catalog of Federal Domestic Program Nos. 96.001, Social Security—Disability Insurance; 96.002, Social Security—Retirement Insurance; 96.004, Social Security—Survivors Insurance; 96.005, Special Benefits for Disabled Coal Miners; 96.006, Supplemental Security Income; and 96.020, Special Benefits for Certain World War II Veterans)

#### **List of Subjects**

##### *20 CFR Part 403*

Courts, Government employees.

##### *20 CFR Part 429*

Administrative practice and procedure, Claims, Government employees, and penalties.

Dated: April 2, 2009.

**Michael J. Astrue,**

*Commissioner of Social Security.*

■ For the reasons set out in the preamble, parts 403 and 429 of chapter III of title 20 of the Code of Federal Regulations are amended as follows:

#### **PART 403—TESTIMONY BY EMPLOYEES AND THE PRODUCTION OF RECORDS AND INFORMATION IN LEGAL PROCEEDINGS**

■ 1. The authority citation for part 403 continues to read as follows:

**Authority:** Secs. 702(a)(5) and 1106 of the Act, (42 U.S.C. 902(a)(5) and 1306); 5 U.S.C. 301; 31 U.S.C. 9701.

■ 2. In § 403.120, revise paragraph (c) to read as follows:

##### **§ 403.120 How do you request testimony?**

(c) You must send your application for testimony to: Social Security Administration, Office of the General Counsel, Office of General Law, P.O. Box 17788, Baltimore, Maryland, 21235-7788, Attn: Touhy Officer. (If you are requesting testimony of an employee of the Office of the Inspector

General, send your application to the address in § 403.125.)

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#### **PART 429—ADMINISTRATIVE CLAIMS UNDER THE FEDERAL TORT CLAIMS ACT AND RELATED STATUTES**

■ 3. The authority citation for part 429 continues to read as follows:

**Authority:** Secs. 702(a)(5) of the Social Security Act (42 U.S.C. 902(a)(5)); 28 U.S.C. 2672; 28 CFR 14.11; 31 U.S.C. 3721.

##### **Subpart A—[Amended]**

■ 4. In § 429.102, revise paragraph (c) to read as follows:

##### **§ 429.102 How do I file a claim under this subpart?**

\* \* \* \* \*

(c) *Where to obtain claims forms and file claims.* You can obtain claims forms by writing to the Social Security Administration, Office of the General Counsel, Office of General Law, P.O. Box 17788, Baltimore, Maryland 21235-7788. You may also file your claim with the Social Security Administration at this same address.

##### **Subpart B—[Amended]**

■ 5. In § 429.202, revise paragraph (b) to read as follows:

##### **§ 429.202 How do I file a claim under this subpart?**

\* \* \* \* \*

(b) *Where to file.* You must file your claim with the Social Security Administration, Office of the General Counsel, Office of General Law, P.O. Box 17788, Baltimore, Maryland 21235-7788.

\* \* \* \* \*

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#### **ENVIRONMENTAL PROTECTION AGENCY**

##### **40 CFR Part 707**

##### **Export Notification; Change to Reporting Requirements**

##### *CFR Correction*

In Title 40 of the Code of Federal Regulations, Parts 700 to 789, revised as of July 1, 2008, on page 29, in § 707.60, the first sentence of the introductory text of paragraph (c)(2) is corrected to read as follows:

##### **§ 707.60 Applicability and compliance.**

\* \* \* \* \*

(c) \* \* \*

(2) No notice of export is required for the export of a chemical substance or mixture that is a known or potential human carcinogen where such chemical substance or mixture is present in a concentration of less than 0.1% (by weight or volume). \* \* \*

\* \* \* \* \*

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#### **GENERAL SERVICES ADMINISTRATION**

##### **41 CFR Parts 300-3, 301-2, 301-11, and 301-70**

[FTR Amendment 2009-03; FTR Case 2009-303; Docket Number 2009-0001, Sequence 3]

RIN 3090-A188

##### **Federal Travel Regulation (FTR); FTR Case 2009-303, Furnished Meals at Conferences and Other Events**

**AGENCY:** Office of Governmentwide Policy, General Services Administration (GSA).

**ACTION:** Final rule.

**SUMMARY:** The General Services Administration (GSA) is amending the Federal Travel Regulation (FTR) to clarify that travelers must deduct the appropriate amounts from their meals and incidental expense (M&IE) allowance when meals are part of a registration fee or otherwise paid for by the Government, in conjunction with attendance at conferences or other events while on official travel. In addition, GSA is amending the FTR to clarify that in limited instances, agencies may allow employees to claim the full M&IE allowance when employees are unable to consume meals furnished by the Government.

**DATES:** *Effective Date:* This final rule is effective April 10, 2009.

*Applicability Date:* This final rule is applicable for official travel performed on and after April 10, 2009.

**FOR FURTHER INFORMATION CONTACT:** The Regulatory Secretariat (VIR), Room 4035, GS Building, Washington, DC 20405, (202) 208-7312, for information pertaining to status or publication schedules. For clarification of content, contact Mr. Craig Flynn, Office of Governmentwide Policy, at (202) 501-0306. Please cite FTR Amendment 2009-03; FTR case 2009-303.

##### **SUPPLEMENTARY INFORMATION:**

##### **A. Background**

On March 14, 2008, the Government Accountability Office (GAO) issued a