

research activities to bridge the potential gap between demand and future supply. Several comments were received in opposition to the proposed increase in assessment rate.

Accordingly, based upon comments received, the proposed rule is being withdrawn.

DATES: The proposed rule published on July 27, 2009 (74 FR 36955) is withdrawn as of February 23, 2010.

FOR FURTHER INFORMATION CONTACT: Sonia Jimenez, Chief, Research and Promotion Branch, Fruit and Vegetable Programs, AMS, U.S. Department of Agriculture, Stop 0244, 1400 Independence Avenue, SW., Room 0632-S, Washington, DC 20250-0244; telephone: (888) 720-9917; facsimile: (202) 205-2800; or electronic mail: Sonia.Jimenez@ams.usda.gov.

SUPPLEMENTARY INFORMATION: This rule is issued under the Blueberry Promotion, Research, and Information Order [7 CFR part 1218]. The Order is authorized under the Commodity Promotion, Research, and Information Act of 1996 [7 U.S.C. 7411-7425].

This action withdraws a proposed rule published in the **Federal Register** on July 27, 2009 (74 FR 36955), to amend the Order by increasing the assessment rate on producers and importers who produce or import more than 2,000 pounds of highbush blueberries annually from \$12 to \$24 per ton. The Council recommended this action to expand its promotional activities and add an advertising component to bridge the potential gap between highbush blueberry demand and future supply. Furthermore, it was the Council's intent to use the additional revenue to strengthen existing consumer, food service, and food manufacturer publicity; to expand its health research; and to develop an educational campaign on good management practices and food safety within the United States as well as internationally.

During the comment period, July 27 through September 25, 2009, the Department of Agriculture received 45 timely comments. These comments may be viewed on the Internet at <http://www.regulations.gov>. Nineteen comments were opposed to increasing the assessment rate at this time and one comment supported a smaller increase of \$18 per ton.

In summary, the opposing commenters expressed concern with doubling the assessment rate in light of current, poor economic conditions. Several commenters also argued that there is no need to increase the assessment rate because revenue should

increase with the anticipated increase in production. Others raised concerns about growers being able to cover their production costs if the assessment rate doubled. Given the comments received, AMS agrees that the proposed rule increasing the assessment rate from \$12 to \$24 per ton should not be finalized. Therefore, the proposed rule is being withdrawn so as to allow further consideration by the Council. The Council should reconsider whether an increase in the assessment rate is appropriate, and if so, at what rate it should recommend any increase.

The proposed rule to amend the Order by increasing the assessment rate on producers and importers who produce or import more than 2,000 pounds of highbush blueberries annually from \$12 to \$24 per ton published in the **Federal Register** on July 27, 2009 (74 FR 36955), is hereby withdrawn.

List of Subjects in 7 CFR Part 1218

Administrative practice and procedure, Advertising, Consumer information, Marketing agreements, Blueberry promotion, Reporting and recordkeeping requirements.

Authority: 7 U.S.C. 7411-7425; 7 U.S.C. 7401.

Dated: February 17, 2010.

Rayne Pegg,

Administrator, Agricultural Marketing Service.

[FR Doc. 2010-3478 Filed 2-22-10; 8:45 am]

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DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Parts 1218 and 1219

[Document Numbers AMS-FV-10-0006; AMS-FV-10-0007]

Blueberry and Hass Avocado Promotion, Research, and Information Orders; Section 610 Reviews

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Notice of reviews and request for comments.

SUMMARY: This document announces the Agricultural Marketing Service's (AMS) plans to review the Blueberry and Hass Avocado Promotion, Research, and Information Orders (Orders). Both reviews will be conducted under criteria contained in Section 610 of the Regulatory Flexibility Act (RFA).

DATES: Written comments must be received by April 26, 2010.

ADDRESSES: Interested persons are invited to submit written comments on

the Internet at: <http://www.regulations.gov> or to the Research and Promotion Branch, Fruit and Vegetable Programs, AMS, USDA, Room 0632-S, Stop 0244, 1400 Independence Avenue, SW., Washington, DC 20250-0244; facsimile: (202) 205-2800. All comments should reference the docket number and the date and page number of this issue of the **Federal Register** and will be made available for public inspection in the above office during regular business hours or it can be viewed at <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: Jeanette Palmer, Marketing Specialist, Research and Promotion Branch, Fruit and Vegetable Programs, AMS, USDA, Stop 0244, 1400 Independence Avenue, SW., Room 0632-S, Washington, DC 20250-0244; telephone: (888) 720-9917; facsimile: (202) 205-2800; or electronic mail: Jeanette.Palmer@ams.usda.gov regarding blueberries; or Maureen T. Pello, Marketing Specialist, Research and Promotion Branch, telephone: (503) 632-8848; facsimile (503) 632-8852; or electronic mail: Maureen.Pello@ams.usda.gov regarding avocados.

SUPPLEMENTARY INFORMATION: The Blueberry Promotion, Research and Information Order (Blueberry Order) (7 CFR part 1218) is authorized under the Commodity Promotion, Research, and Information Act of 1996 (1996 Act) (7 U.S.C. 7411-7425). The Hass Avocado Promotion, Research and Information Order (Avocado Order) (7 CFR part 1219) is authorized under the Hass Avocado Promotion, Research and Information Act of 2000 (Avocado Act) (7 U.S.C. 7801-7813).

The Blueberry Order became effective on August 16, 2000. The Order is administered by the U.S. Highbush Blueberry Council (Council) with oversight by the Department of Agriculture (USDA). The program is funded by assessments on highbush (cultivated) blueberries grown in and imported into the United States. Producers and importers pay the assessment. The producer assessment is remitted by first handlers, and the importer assessment is remitted by the U.S. Customs and Border Protection (Customs). Producers and importers who produce or import less than 2,000 pounds of highbush blueberries annually are exempt from the program. The purpose of the Order is to finance a coordinated program of promotion, research, and information to maintain and expand the market for fresh and processed cultivated blueberries in the United States and abroad.

The Council is composed of 14 members as follows: 10 producers (one from each of four regions and one from each of the top six producing States); 1 importer; 1 exporter from a foreign production area; 1 handler; and 1 public member. Each member has an alternate. The members and alternates are appointed to the Council by the Secretary of Agriculture and serve a term of 3 years.

The Avocado Order became effective on September 9, 2002. The Order is administered by the Hass Avocado Board (Board) with oversight by USDA. The program is funded by assessments on fresh domestic and imported Hass avocados. Producers and importers pay the assessment. The producer assessment is remitted by first handlers, and the importer assessment is remitted by Customs. Exports of domestic Hass avocados are exempt from assessments. The purpose of the program is to increase consumption of Hass avocados in the United States.

Under the Order, a state association of avocado producers receives 85 percent of the assessments paid by domestic producers, and certified importer associations receive 85 percent of the assessments paid by their members. The State and importer associations use these funds to conduct State-of-origin and country-of-origin promotions, respectively.

The Board is composed of 12 members, 7 who are producers and 5 who are importers. Each member has an alternate. The members and alternates are appointed to the Board by the Secretary of Agriculture and serve a term of 3 years.

AMS published in the **Federal Register** on March 24, 2006 (71 FR 14827), its plan to review certain regulations, including the Blueberry and Avocado Orders under criteria contained in section 610 of the RFA (5 U.S.C. 601–612). Because many AMS regulations impact small entities, AMS decided, as a matter of policy, to review certain regulations which, although they may not meet the threshold requirement under section 610 of the RFA, warrant review. According to the schedule published in 2006, this notice and request for comments is made for the Blueberry and Avocado Orders.

The purpose of the review is to determine whether the Orders should be continued without change, amended, or rescinded (consistent with the objectives of the 1996 Act and Avocado Act, respectively) to minimize the impacts on small entities. AMS will consider the following factors: (1) The continued need for the Orders; (2) the nature of complaints or comments

received from the public concerning the Orders; (3) the complexity of the Orders; (4) the extent to which the Orders overlap, duplicate, or conflict with other Federal rules, and, to the extent feasible, with State and local regulations; and (5) the length of time since the Orders have been evaluated or the degree to which technology, economic conditions, or other factors have changed in the area affected by the Orders.

Written comments, views, opinions, and other information regarding the Order's impact on small businesses are invited.

Dated: February 17, 2010.

David R. Shipman,

Acting Administrator, Agricultural Marketing Service.

[FR Doc. 2010–3446 Filed 2–22–10; 8:45 am]

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DEPARTMENT OF ENERGY

10 CFR Part 430

[Docket No. EERE–2007–BT–STD–0010]

RIN 1904–AA89

Energy Conservation Standards for Residential Clothes Dryers and Room Air Conditioners: Public Meeting and Availability of the Preliminary Technical Support Document

AGENCY: Office of Energy Efficiency and Renewable Energy, Department of Energy.

ACTION: Notice of public meeting and availability of preliminary technical support document.

SUMMARY: The U. S. Department of Energy (DOE) will hold a public meeting to discuss and receive comments on the product classes that DOE plans to analyze for purposes of amending energy conservation standards for residential clothes dryers and room air conditioners; the analytical framework, models, and tools that DOE is using to evaluate standards for these products; the results of preliminary analyses performed by DOE for these products; and potential energy conservation standard levels derived from these analyses that DOE could consider for these products. DOE also encourages written comments on these subjects. To inform stakeholders and facilitate this process, DOE has prepared an agenda, a preliminary Technical Support Document (TSD), and briefing materials, which are available at:

http://www1.eere.energy.gov/buildings/appliance_standards/residential/clothes_dryers.html and <http://www1.eere.energy.gov/buildings/>

[appliance_standards/residential/room_ac.html](http://www1.eere.energy.gov/buildings/appliance_standards/residential/room_ac.html).

DATES: The Department will hold a public meeting on Tuesday, March 16, 2010, from 9 a.m. to 5 p.m. in Washington, DC. Any person requesting to speak at the public meeting should submit such request, along with an electronic copy of the statement to be given at the public meeting, before 4 p.m., Tuesday, March 2, 2010. Written comments are welcome, especially following the public meeting, and should be submitted by April 26, 2010.

ADDRESSES: The public meeting will be held at the U.S. Department of Energy, Forrestal Building, Room 8E–098, 1000 Independence Avenue, SW., Washington, DC 20585–0121. Please note that foreign nationals participating in the public meeting are subject to advance security screening procedures. If a foreign national wishes to participate in the public meeting, please inform DOE of this fact as soon as possible by contacting Ms. Brenda Edwards at (202) 586–2945 so that the necessary procedures can be completed.

Interested persons may submit comments, identified by docket number EERE–2007–BT–STD–0010, by any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *E-mail:* home_appliance2.rulemaking@ee.doe.gov. Include EERE–2007–BT–STD–0010 and/or RIN 1904–AA89 in the subject line of the message.

- *Mail:* Ms. Brenda Edwards, U.S. Department of Energy, Building Technologies Program, Mailstop EE–2J, Public Meeting for Residential Clothes Dryers and Room Air Conditioners, EERE–2007–BT–STD–0010 and/or RIN 1904–AA89, 1000 Independence Avenue, SW., Washington, DC 20585–0121. *Phone:* (202) 586–2945. Please submit one signed paper original.

- *Hand Delivery/Courier:* Ms. Brenda Edwards, U.S. Department of Energy, Building Technologies Program, 6th Floor, 950 L'Enfant Plaza, SW., Washington, DC 20024. *Phone:* (202) 586–2945. Please submit one signed paper original.

Instructions: All submissions received must include the agency name and docket number or RIN for this rulemaking.

Docket: For access to the docket to read background documents, a copy of the transcript of the public meeting, or comments received, go to the U.S. Department of Energy, 6th Floor, 950 L'Enfant Plaza, SW., Washington, DC 20024, (202) 586–2945, between 9 a.m.