

Various Endorsements; Fresh Market Tomato (Guaranteed Production Plan) Crop Insurance Regulations; and Common Crop Insurance Regulations, Various Crop Insurance Provisions by extending the contract change date for certain 1998 spring crop counties and States. Since this rule benefited the insured and insurance companies by improving coverage and simplifying and streamlining the policies, good cause was found to make the interim rule effective November 26, 1997, the date the interim rule was placed on file for public inspection at the office at the **Federal Register**.

Following publication of the interim rule, the public was afforded 27 days to submit written comments and opinions. Comments were received from a reinsured company and legal counsel for a reinsured company. The comments and FCIC's responses are as follows:

*Comment:* A reinsured company and legal counsel for a reinsured company stated that FCIC's inability to propose and promulgate timely changes in its regulations will adversely affect the reinsured companies and their policyholders. Since the first crops affected by the rule have a sales closing date of January 15, 1998, the commenters state that there is not sufficient time for the companies to understand the changes in the twelve policies FCIC has proposed to change, train the trainers, have the trainers train the agents, have the agents explain these changes to their insureds, and then to permit the insureds to complete the reports required of them in a timely and accurate manner. Also, when the insureds are late receiving the crop insurance changes, it interrupts and delays their planning and decisions. Receiving these changes late contributes to more obstacles to be overcome by program providers and agents as opposed to the mandate and goal of simplification. One of the commenters expects FCIC to hold the reinsured company harmless for the consequences of FCIC's errors and omissions. This commenter also stated that the reinsured company reserves the right to accept, without penalty, late filed applications, written agreements, acreage reports and any other document that requires a belated amendment as a result of the FCIC's delay regardless of whether the sales closing date is extended. The commenter also stated that the reinsured company reserves the right to challenge the legality of the FCIC's interim rule and final rule.

*Response:* It was crucial that better late and prevented planting coverage be developed and implemented for the 1998 crop year. FCIC spent months

working with producers, farm organizations, commodity groups, reinsured companies, an insurance service organization, and agents to develop simplified prevented planting provisions that: (1) Would protect producers when crops were prevented from being planted by an insurable cause of loss, (2) would be actuarially sound, (3) reinsured companies could quickly develop training plans to present to employees and agents, and (4) would be simple enough for agents to explain to the producers in a limited time frame. FCIC determined that its efforts were successful and that neither insureds nor reinsured companies would be adversely affected by extension of the contract change date. The sales closing date of January 15, 1998, which is the first sales closing date for the 1998 crop year, is only applicable to a few counties and crops and few insureds were affected by the contract change date extension. With respect to the sales closing date, neither the Manager or any reinsured company has the authority to extend the sales closing date. Further, nothing in the rule or the time of its implementation should require any sales closing date extensions. Late filed documents may only be accepted in accordance with applicable regulations and FCIC approved procedures. If FCIC extends the contract change date and the reinsured company does not feel prepared to sell a policy prior to the sales closing date, then the company should not sell the policy and the applicant should be advised to find another agent. Therefore, no change has been made and the interim rule as published on December 2, 1997, at 62 FR 63631 is adopted as a final rule.

#### List of Subjects

##### 7 CFR Part 401

Crop insurance, Canning and processing tomato, Rice.

##### 7 CFR Part 454

Crop insurance, Fresh market tomato (guaranteed production plan).

##### 7 CFR Part 457

Crop insurance, Cotton, Coarse grains (corn, grain sorghum, and soybeans), Dry bean, ELS cotton, Sugar beet, Sunflower seed.

#### PART 457—[AMENDED]

The authority citation for 7 CFR part 457 continues to read as follows:

**Authority:** 7 USC 1506(1), 1506(p).

#### Final Rule

Accordingly, for the reasons set forth in the preamble, the Federal Crop Insurance Corporation adopts as a final rule, the interim rule as published at 62 FR 63631 on December 2, 1997.

Signed in Washington, D.C., on March 18, 1998.

**Kenneth D. Ackerman,**

*Manager, Federal Crop Insurance Corporation.*

[FR Doc. 98-7735 Filed 3-24-98; 8:45 am]

BILLING CODE 3410-08-P

#### DEPARTMENT OF AGRICULTURE

##### Agricultural Marketing Service

##### 7 CFR Part 985

[Docket No. FV98-985-1 FRC]

#### Marketing Order Regulating the Handling of Spearmint Oil Produced in the Far West; Salable Quantities and Allotment Percentages for the 1998-99 Marketing Year; Correction

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Final rule; correction.

**SUMMARY:** The Agricultural Marketing Service, USDA, published in the **Federal Register** of February 20, 1998, a document establishing the quantity of spearmint oil produced in the Far West, by class, that handlers may purchase from, or handle for, producers during the 1998-99 marketing year. The 1998-99 marketing year covers the period June 1 through May 31. This document corrects an error in the **EFFECTIVE DATES** caption of that rule.

**EFFECTIVE DATE:** March 26, 1998.

**FOR FURTHER INFORMATION CONTACT:** George J. Kelhart, Marketing Order Administration Branch, Fruit and Vegetable Programs, AMS, USDA, room 2525-S, P.O. Box 96456, Washington, DC 20090-6456; telephone: 202-720-2491.

**SUPPLEMENTARY INFORMATION:** In rule FR Doc. 98-4036 published on February 20, 1998 (63 FR 8559), make the following correction. On page 8559, in the first column, under **EFFECTIVE DATES** the dates "June 1, 1998, through May 30, 1999" are corrected to read "June 1, 1998, through May 31, 1999."

Dated: March 19, 1998.

**Robert C. Keeney,**

*Deputy Administrator, Fruit and Vegetable Programs.*

[FR Doc. 98-7734 Filed 3-24-98; 8:45 am]

BILLING CODE 3410-02-P