commercially viable and their production has increased. In this instance, inclusion of Forelle and Seckel varieties in the order would not regulate persons who were heretofore unregulated, since persons who handle the Forelle and Seckel varieties are currently regulated in their capacity as handlers of regulated varieties. Thus, the inclusion of the Forelle and Seckel varieties would have a negligible effect on small businesses. In the same manner, the subsequent inclusion or deletion of a variety of winter pears would have a negligible effect on small businesses.

In addition, amendment of § 927.47 would provide for promotion and research of the individual varieties of pears. The present § 927.47 provides for marketing or production research and development projects including paid advertising and promotion. Amendment of § 927.47 (Research and Promotion), taken in conjunction with the amendment of § 927.41(b) (Assessments), would benefit handlers, including small businesses, in that it provides that supplemental assessments; if implemented, collected from a handler of a particular variety (or subvariety) of pear will be used for promotion, production research or marketing research for that variety of pear. Rather than paying an assessment under the present § 927.47 which may or may not be used to pay for promotion or advertising of the variety of pear which the handler handles, amendment of § 927.47 would assure that a handler's assessments will be used to promote or provide research on the variety which the handler handles. Therefore, the amendment would allow producers and handlers to pursue marketing strategies tailored specifically to the marketing conditions of the varieties they handle. For these reasons, this amendment would not impose substantial costs on affected small businesses; it would rather heighten the benefit to those businesses in direct proportion to the amount of their expenditure without significantly increasing the cost to the handler.

Finally, the amendments to the order would have no significant impact on small businesses' recordkeeping and reporting burdens.

Findings and Conclusions

The material issues, findings and conclusions, rulings, general findings, and regulatory provisions of the Recommended Decision published in the March 20, 1986, issue of the Federal Register (51 FR 9663) are hereby incorporated herein and made a part hereof subject to the following corrections, clarifications, and conforming changes:

Page	Column	Proposal No.	Line	Correction
9668..	1		1	Change "Part 927—BEURRE D'ANJOU, BEURRE BOSC, WINTER NELIS, DOYENNE DU COMICE, BEURRE EASTER, AND BEURRE CLAIRGEAU VARIETIES OF PEARS GROWN IN OREGON, WASHINGTON, AND CALIFORNIA" to "PART 927—WINTER PEARS GROWN IN OREGON, WASHINGTON, AND CALIFORNIA".
9668..	2	7	2	Change "committee" to "Control Committee".
9668..	2	7	8	Change "marketing year" to "fiscal period".
9668..	3	10	6	Change "demand" to "billing".
9668..	3	10	15 & 16	Change "it is in effect" to "such assessments are payable".
9668..	3	10	38	Change "year" to "period".
9669..	2	13	12 & 13	Change "area; but such" to "area. Such".
9669..	2	13	15	Change "year" to "period".
9669..	2	13	16 &17	Delete lines 16 & 17 and replace with "The Secretary shall conduct a referendum within every six-year".
9669..	2	13	24	Change "year" to "period".
0669..	2	13	19 & 20	Delete lines 19 & 20 and replace with "becomes effective, to ascertain whether".
9669..	3	13	11	Change "year" to "period".

Marketing Agreement and Order

Annexed hereto and made a part hereof are two documents entitled, respectively, "Marketing Agreement, as Further Amended, Regulating the Handling of Winter Pears Grown in Oregon, Washington, and California," and "Order Amending the Order, As Amended, Regulating the Handling of Winter Pears Grown in Oregon, Washington, and California." These documents have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions.

It is hereby ordered, That this entire decision, except the annexed marketing agreement, be published in the Federal Register. The regulatory provisions of the marketing agreement are identical with those contained in the order as hereby proposed to be amended by the annexed order which is published with this decision.

Referendum Order

It is hereby directed that a referendum be conducted in accordance with the procedure for the conduct of referenda (7 CFR 900.400 *et seq.*), to determine whether the issuance of the annexed order as amended, and as hereby proposed to be further amended, regulating the handling of winter pears grown in Oregon, Washington, and California, is approved or favored by producers, as defined under the terms of the order, who during the representative period were engaged in the production area in the production of the regulated commodity for market. The representative period for the conduct of such referendum is hereby determined to be July 1, 1985 through June 30, 1986.

The agents of the Secretary to conduct such referendum are hereby designated to be Joseph C. Perrin, and Gary D. Olson, Fruit and Vegetable Division, Agricultural Marketing Service, USDA, Green/Wyatt Federal Building, Room 369, 1220 SW., Third Avenue, Portland, Oregon 97204.

Lists of Subjects in 7 CFR Part 927

Marketing agreements and orders, Oregon, Washington, California, Winter pears.

Signed at Washington, DC, on June 16, 1986.

Karen K. Darling,

Deputy Assistant Secretary, Marketing and Inspection Services.

Order Amending the Order, as Amended, Regulating the Handling of Winter Pears Grown in Oregon, Washington, and California[1]

Findings and determinations. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

Findings upon the basis of the hearing record. Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 *et seq.*), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon proposed amendment of the marketing agreement, as amended, and Marketing Order No. 927, as amended (7 CFR Part 927)

[1] This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

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