

Notices

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This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[Doc. No. AMS-DA-26-0298]

Exempt Plant Definition Request for Information

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Request for information.

SUMMARY: The Agricultural Marketing Service (AMS) is seeking input from the public, including dairy industry stakeholders, on market conditions related to monthly route sales limits within the exempt plant definition in its regulations. AMS is requesting input on whether and how marketing conditions have changed since the definition was implemented in 1999.

DATES: Comments must be received by November 23, 2026 to be considered.

ADDRESSES: Interested persons are invited to submit comments concerning this notice. Comments may be submitted through the Federal e-rulemaking portal at <https://www.regulations.gov> and should reference the document number, date, and page number of this issue of the **Federal Register**. Written comments may be submitted via mail to USDA/AMS/Dairy Programs, Stop 0225—Room 2530, 1400 Independence Avenue SW, Washington, DC 20250-0225. All comments submitted in response to this notice, including the identity of the individuals or entities submitting the comments, will be included in the record and made available to the public, and can be viewed at <https://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: Erin Taylor, USDA/AMS/Dairy Programs, Order Formulation and Enforcement Division, STOP 0225—Room 2530, 1400 Independence Avenue SW, Washington, DC 20250-0225; telephone: (202) 720-4392; email address: OFEB@usda.gov.

SUPPLEMENTARY INFORMATION:

Background

A nonpool plant is defined within the Federal milk marketing order (FMMO) regulations in 7 CFR 1000.8, which includes the definition for an exempt plant in § 1000.8(e), and specifically a definition for a *de minimis* plant exemption in § 1000.8(e)(4). The regulations were implemented in the Federal Milk Marketing Order Reform (Order Reform) final rule published on September 1, 1999 (64 FR 47898), and the definition of a nonpool plant has not been amended since.

To determine the monthly pounds threshold that would qualify a plant for an exemption under the *de minimis* definition being established during the Order Reform process, AMS reviewed the route sales limits of all FMMOs that had a *de minimis* exempt plant provision in place at the time. In an effort not to impose a pool obligation on any plant that was exempt for size at the time, AMS selected the highest plant exemption level allowed in any FMMO, which was 150,000 pounds or less of monthly route disposition.

In considering whether marketing conditions have changed since the definition was implemented in 1999, AMS seeks input from impacted dairy stakeholders on relevant market conditions, route disposition levels, and other related factors.

Request for Information

In this Request for Information (RFI), AMS will consider how fluid milk market conditions have changed since the *de minimis* route disposition limit in the exempt plant definition was implemented, as well as current fluid milk marketing conditions. Through this RFI, AMS is soliciting comments on the market effects for handlers currently operating an exempt plant, as well as the effects of the disposition limit on regulated handlers who are not exempt. All interested parties are encouraged to provide input during the comment period. AMS will review and consider all information submitted in response to this RFI.

Respondents may provide information for one or more of the questions or topics listed below, as desired.

1. What market conditions or other factors should AMS consider in evaluating the current *de minimis* exempt plant route disposition limit?

2. Has the dairy market changed in such a way that the 150,000 pound per month route disposition limit may no longer be appropriate? If so, how?

3. What plant data or other data should AMS consider in its evaluation of the *de minimis* exempt plant definition relative to the current marketing of fluid milk?

4. What impact on the industry—including on producers, handlers, and consumers—would a change in the *de minimis* exempt plant route disposition have, including any increasing or decreasing costs for producers, handlers, or consumers?

5. What effects does the *de minimis* exempt plant route disposition limit have on small businesses? Currently, the Small Business Administration defines a small fluid milk processing plant as a plant, or larger company operating multiple plants, with 1,150 or fewer employees collectively.

Erin Morris,

Administrator, Agricultural Marketing Service.

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DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[Doc. No. AMS-ST-26-1486]

Federal Seed Act Labeling and Enforcement; Notice of Request for Extension and Revision of a Currently Approved Information Collection

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the Agricultural Marketing Service's (AMS) intention to request approval, from the Office of Management and Budget (OMB), for an extension of and revision to the currently approved information collection of the Federal Seed Act Labeling and Enforcement.

DATES: Comments on this notice must be received by December 22, 2026 to be assured of consideration.

ADDRESSES: Interested persons are invited to submit comments concerning this notice by using the electronic