

Docket Clerk

ID: LFG-2018-0020

Marketing Order and Agreement Division

Specialty Crops Program, AMS

United States Department of Agriculture

1400 Independence Avenue, SW

STOP 0237

Washington, D.C 20250

Sent via: Mail

April 16<sup>th</sup>, 2018

Re: AMS-SC-17-0066, Docket Number

Dear United States Department of Agriculture,

I am sending you this comment in which is in regard and pertaining to Docket Number: AMS-SC-17-0066 about Cranberries grown in State of Massachusetts, et al: Establishment of Handler Diversion and Reporting Requirements and New Information Collection. This proposed rule, pursuant to Title 5, United States Code, Section 553, proposes an amendment to regulations used to carry out a marketing order as defines in 7 CFR 900.2(j).<sup>1</sup> This proposal is issued under Marketing Agreement and Order No. 929, as amended (7 CFR part 929), regulating the handling of cranberries grown in the States of Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York. Part 929 is effective under the Agriculture Marketing Agreement Act of 1937, as amended Title 7, United States Code, Section 601 through Section 674. The Cranberry Marketing Committee locally administers Part 929 and is comprised of growers and handlers of cranberried operating within the production area, and a public member.

It should be noted that the United States Department of Agriculture is issuing a proposed rule on the aforementioned docket number in conformance with Executive Orders 13563 and 13175. This proposed rule falls within a category of regulatory actions that the Office of Management and Budget exempted from Executive Order 12866 review. Additionally, because this proposed rule does not meet the definition of a significant regulatory action, it does not trigger the requirements contained in Executive Order 13771.<sup>2</sup> Individuals are invited comments to the United States Department of Agriculture on the establishment of handler diversion and reporting requirements as recommended by the Cranberry Marketing Committee. So, I would like to say that I approve of the proposed rule that corresponds with the docket number, in which will be accomplished by the United States Department of Agriculture. I believe that whenever reforms are needed to be made in a society, that those reforms

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<sup>1</sup> It should also be noted that the proposed rule that corresponds with Docket Number: AMS-SC-17-0066 has been reviewed under Executive Order 12988, Civil Justice Reform. The proposed rue is not intended to have a retroactive effect.

<sup>2</sup> Office of Management and Budget Memorandum titled "Interim Guidance Implementing Section 2 of the Executive Order of January 30<sup>th</sup>, 2017, titled "Reducing Regulation and Controlling Regulatory Costs."

need to be listened to and tried. While I do not believe that any official of any federal agency or that any federal agency of the United States itself, I am looking forward to the United States Department of Agriculture enacting and enforcing the proposed rule. Lastly, I would like to add that I am hoping that the United States Department of Agriculture will not set, establish or enforce high taxes on products that contain fruits and vegetables and that the United States Department of Agriculture will ensure that fruits and vegetables are prioritized to communities in which poverty and unemployment are high. To me, it would make no sense for the United States Department of Agriculture to set, establish or to enforce high taxes on products that are being shipped to communities that suffer the most from poverty and unemployment because I believe that regardless as to the economic status that an individual has, that all individuals should be able to afford to get and to have access to fruits and vegetables.

  
Respectfully,

Isaiah X. Smith<sup>3</sup>

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