The original documents are located in Box 19, folder "1/2/75 HR13022 Minimum Grade Standards for Grapes and Plums" of the White House Records Office: Legislation Case Files at the Gerald R. Ford Presidential Library.

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IAN 2-1975

THE WHITE HOUSE

ACTION

WASHINGTON

Last Day: January 4

December 31, 1974

Postal

MEMORANDUM FOR

THE PRESIDENT

FROM:

KEN OOLE

SUBJECT:

Enrolled Bill H.R. 13022

Minimum Grade Standards for Grapes and Plums

Attached for your consideration is H.R. 13022, sponsored by Representative Sisk which would permit the Secretary of Agriculture to establish different grade requirements for different export destinations for any variety of U.S. produced grapes and plums.

OMB recommends approval and provides additional background information in its enrolled bill report (Tab A).

Max Friedersdorf and Phil Areeda both recommend approval.

RECOMMENDATION

That you sign H.R. 13022 (Tab B).





EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

DEC 3 0 1974

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 13022 - Minimum grade standards

for grapes and plums

Sponsor - Rep. Sisk (D) California

Last Day for Action

January 4, 1975 - Saturday

Purpose

Amends present law to provide for different levels of grade regulation for packages of grapes and plums being exported to different destinations.

Agency Recommendations

Office	of	Management	and	Budget	Approval
OTTTO	OI	radiza y cancire	and	Duagee	116610101

Department of	Agriculture	Approval
Department of	State	Approval
Office of the	Special Representative	

No objection (Informally) for Trade Negotiations

No objection Department of Commerce

Discussion

Under the Export Grape and Plum Act, the Secretary of Agriculture must certify that all grapes or plums of a particular variety are of a Federal or State grade which meets the minimum standard of quality established for such variety for shipment in export. The law was originally enacted to improve the quality of these commodities which go into the export trade.



H.R. 13022 would amend the Act cited above to authorize the establishment of different grade requirements for a particular variety of grapes or plums depending on its different export destination.

In its report to Congress on H.R. 13022, the Department of Agriculture explained the need for the amendment:

"The grape and plum industries advise that there is a need to provide for different levels of grade regulation for different export destinations so that the differences in quality preferences in different export markets may be recognized in the regulations under the act. For example, there apparently is an opportunity to expand the Japanese market by supplying that market with superior quality grapes. If the act is amended as the bill proposes, the regulations can be changed to require that grapes for export to Japan shall meet a grade consistent with the quality preference of that market. Similarly, the regulations can prescribe grade requirements for other markets appropriate to the demands of those markets."

Wefeel Hommel
Assistant Director for
Legislative Reference

Enclosures





DEPARTMENT OF AGRICULTURE OFFICE OF THE SECRETARY WASHINGTON, D. C. 20250

December 23, 1974

Honorable Roy L. Ash, Director Office of Management and Budget Washington, D. C.

Dear Mr. Ash:

This is to report on the enrolled enactment of H.R. 13022, an act "To amend the Act of September 2, 1960, as amended, so as to authorize different minimum grade standards for packages of grapes and plums exported to different destinations."

This Department recommends that the President approve H.R. 13022.

The bill would amend the Export Grape and Plum Act (7 U.S.C. 591-599) to authorize the establishment of different grade requirements for different export destinations for any variety of grapes or plums in packages. The Act now provides for the establishment of a uniform grade requirement for any such variety to all export destinations.

The grape and plum industries have advised of the need to provide for different levels of grade regulation for different export destinations so that the differences in quality preferences in different export markets may be recognized in the regulations under the Act. For example, there is potential to expand the Japanese market by supplying that market with superior quality grapes. If H.R. 13022 is enacted, the regulations can be changed to require that grapes for export to Japan shall meet a grade consistent with the quality preference of that market. Similarly, the regulations can prescribe grade requirements for other markets appropriate to the demands of other markets.

When regulations are effected under the Act, inspection and certification are mandatory prior to export to assure compliance with the regulations applicable to each variety. Should grade requirements differ by destination, the inspection certificate would indicate that the fruit meets the requirements for the particular variety for the destinations specified by the exporter.

The enactment of this legislation would not result in any increase in the Department's costs of administration. Under the Export Grape and Plum Act, the cost of mandatory inspection and certification are defrayed by fees collected from the applicant.

Sincerely,

J. Phil Campbell Acting Secretary





DEPARTMENT OF STATE

Washington, D.C. 20520

December 23, 1974

Honorable Roy L. Ash Director, Office of Management and Budget Washington, D.C. 20503

Dear Mr. Ash:

In response to Mr. Rommel's communication of December 23, 1974, I am transmitting the views of the Department of State regarding H.R. 13022, an enrolled bill to amend the Act of September 2, 1960 as amended, (the Export Grape and Plum Act), so as to authorize different minimum grade standards for packages of grapes and plums exported to different destinations.

The Department of State favors this bill and recommends that the President sign it into law. Under present legislation, the Secretary of Agriculture is precluded from introducing permissible variations in the minimum quality standards to take into account differences in quality preferences in different export markets. The proposed legislation would, in effect, permit the Secretary of Agriculture to establish minimum quality standards to meet differing demands of foreign markets and thus should make possible increased export opportunities for our grape and plum growers.

Cordially,

Linwood Holton
Assistant Secretary for

Congressional Relations

DEC 26 1974

Honorable Roy L. Ash Director, Office of Management and Budget Washington, D. C. 20503

Attention: Assistant Director for Legislative Reference

Dear Mr. Ash:

This is in reply to your request for the views of this Department concerning H.R. 13022, an enrolled enactment

"To amend the Act of September 2, 1960, as amended, so as to authorize different minimum grade standards for packages of grapes and plums exported to different destinations."

This Department would have no objection to approval by the President of H.R. 13022.

Enactment of this legislation will not involve the expenditure of any funds by this Department.

Sincerely,

n K. Tabor



THE WHITE HOUSE WASHINGTON

MEMORANDUM FOR:

WARREN HENDRIKS

FROM: / Run for

MAX L. FRIEDERSDORF

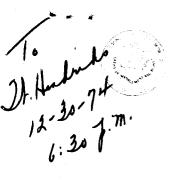
SUBJECT:

Action Memorandum - Log No. 926

The Office of Legislative Affairs concurs with the Agencies that the enrolled bill should be signed.

Attachments





EXECUTIVE OFFICE OF THE PRESIDENT OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

DEC 3 0 1974

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 13022 - Minimum grade standards

for grapes and plums

Sponsor - Rep. Sisk (D) California

Last Day for Action

January 4, 1975 - Saturday

Purpose

Amends present law to provide for different levels of grade regulation for packages of grapes and plums being exported to different destinations.

Agency Recommendations

Office of Management and Budget Approval

Department of Agriculture Approval Department of State Approval

Office of the Special Representative

for Trade Negotiations No objection (Informally)
Department of Commerce No objection

Discussion

Under the Export Grape and Plum Act, the Secretary of Agriculture must certify that all grapes or plums of a particular variety are of a Federal or State grade which meets the minimum standard of quality established for such variety for shipment in export. The law was originally enacted to improve the quality of these commodities which go into the export trade.



H.R. 13022 would amend the Act cited above to authorize the establishment of different grade requirements for a particular variety of grapes or plums depending on its different export destination.

In its report to Congress on H.R. 13022, the Department of Agriculture explained the need for the amendment:

"The grape and plum industries advise that there is a need to provide for different levels of grade regulation for different export destinations so that the differences in quality preferences in different export markets may be recognized in the regulations under the act. For example, there apparently is an opportunity to expand the Japanese market by supplying that market with superior quality grapes. If the act is amended as the bill proposes, the regulations can be changed to require that grapes for export to Japan shall meet a grade consistent with the quality preference of that market. Similarly, the regulations can prescribe grade requirements for other markets appropriate to the demands of those markets."

> Wefred Homme Assistant Director for Legislative Reference

Enclosures

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO .: 926

Date: December 30, 1974

Time: 10:00 p.m.

FOR ACTION: Mike Duval

cc (for information): Warren Hendriks

Max Friedersdorf Phil Areeda

Jerry Jones Jack Marsh

DUE: Date: Tuesday, December 31

FROM THE STAFF SECRETARY

Time: 1:00 p.m.

SUBJECT:

Enrolled Bill H.R. 13022 - minimum grade standards for grapes and plums

ACTION REQUESTED:

For Necessary Action	For Your Recommendations			
Prepare Agenda and Brief	Draft Reply			
For Your Comments	Draft Remarks			

REMARKS:

Please return to Judy Johnston, GroundEldoor, West Wing



PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

K. R. COLE, JR. For the President

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO .: 926 927

Date: December 30, 1974

Time: 10:00 p.m.

FOR ACTION: Mike Duval

Max Friedersdorf

Jerry Jones Jack Marsh

Phil Areeda

FROM THE STAFF SECRETARY

DUE: Date: Tuesday, December 31

Time: 1:00 p.m.

cc (for information): Warren Hendriks

SUBJECT:

Enrolled Bill H.R. 13022 - minimum grade standards for grapes and plums

ACTION REQUESTED:

For Necessary Action	For Your Recommendations
Prepare Agenda and Brief	Draft Reply
For Your Comments	Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor, West Wing

Mike Dural

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

Warren K. Hendriks For the President

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 926 927

Date: December 30, 1974

Time: 10:00 p.m.

FOR ACTION: Mike Duval

May Friodoredorf

Max Friedersdorf

Phil Areeda

cc (for information): Warren Hendriks

Jerry Jones Jack Marsh

FROM	THE	STAFF	SECRETA	RY

DUE: Date: Tuesday, December 31 Time: 1:00 p.m.

SUBJECT:

Enrolled Bill H.R. 13022 - minimum grade standards for grapes and plums

ACTION REQUESTED:

For Necessary Action	For Your Recommendations
Prepare Agenda and Brief	Draft Reply
For Your Comments	Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor, West Wing

No objection

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

H you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

MINIMUM GRADE STANDARDS FOR GRAPES AND PLUMS

NOVEMBER 25, 1974.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. Poage, from the Committee on Agriculture, submitted the following

REPORT

[To accompany H.R. 13022]

The Committee on Agriculture, to whom was referred the bill (H.R. 13022), to amend the act of September 2, 1960, as amended, so as to authorize different minimum grade standards for packages of grapes and plums exported to different destinations, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

Purpose and Need

The purpose of this bill is to make a technical improvement in the act of September 2, 1960, which authorizes the Secretary of Agriculture to establish and enforce uniform grade standards for packages of

grapes and plums exported from the United States.

The law was originally enacted at the request of the grape and plum industry in order to improve the quality of these commodities which go into the export trade. The committee has now found that there is a need to provide for different levels of grade regulation for different export destinations so that the differences in quality preferences in different export markets may be recognized in the regulations under the act.

H.R. 13022, therefore, would simply permit the Secretary to establish different grade requirements for different export destinations for any variety of U.S. produced grapes and plums.

COMMITTEE CONSIDERATION

On February 25, 1974, H.R. 13022 was introduced in the House by Mr. Sisk. The legislation was referred to the Domestic Marketing and Consumer Relations Subcommittee of the Committee on Agriculture.

On September 19, 1974, in an open business meeting the Domestic Marketing and Consumer Relations Subcommittee ordered the bill reported by a voice vote to the full committee. On October 9, 1974, in an open business meeting, H.R. 13022 was ordered reported to the House by a voice vote and in the presence of a quorum.

CURRENT AND FIVE SUBSEQUENT FISCAL YEAR COST ESTIMATE

Pursuant to clause 7 of Rule XIII of the Rules of the House of Representatives, the committee estimates there would be no additional cost to be incurred by the Federal Government during the current and the 5 subsequent fiscal years as a result of the enactment of this legislation. The cost of the mandatory inspection of grapes and plums moving into the export trade is defrayed by fees collected from the exporter, and the bill makes no change in this provision.

The same cost estimate was submitted to the committee by the De-

partment of Agriculture.

Administration Position

The Department of Agriculture recommended passage of H.R. 13022 in the following letter from Under Secretary of Agriculture J. Phil Campbell:

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D.C., July 19, 1974.

Hon. W. R. Poage, Chairman, Committee on Agriculture, House of Representatives.

Dear Mr. Chairman: This is in reply to your request of February 28, 1974, for a report on H.R. 13022, a bill to amend the act of September 2, 1960, as amended, so as to authorize different minimum grade standards for packages of grapes and plums exported to different destinations.

This Department recommends that H.R. 13022 be passed.

The bill would further amend the Export Grape and Plum Act (74 Stat. 734; 75 Stat. 220; 7 U.S.C. 591-599) to authorize the establishment of different grade requirements for different export destinations for any variety of grapes or plums in packages. The act currently provides for the establishment of a uniform grade requirement

for any such variety to all export destinations.

The grape and plum industries advise that there is a need to provide for different levels of grade regulation for different export destinations so that the differences in quality preferences in different export markets may be recognized in the regulations under the act. For example, there apparently is an opportunity to expand the Japanese market by supplying that market with superior quality grapes. If the act is amended as the bill proposes, the regulations can be changed to require that grapes for export to Japan shall meet a grade consistent with the quality preference of that market. Similarly, the regulations can prescribe grade requirements for other markets appropriate to the demands of those markets.

When regulations are effective under the act, inspection and certification prior to export are mandatory to assure compliance with the regulations applicable to each variety. Should grade requirements differ by destination, the inspection certificate would indicate that the fruit meets the requirements for the particular variety for the destinations specified by the exporter.

Enactment of Ĥ.R. 13022 would have no significant impact on the

environment.

It is not anticipated that enactment of the proposed legislation would result in any added costs of administration. Under provisions of the act, the cost of mandatory inspection and certification are defrayed by fees collected from the applicant. The bill would not change such provisions.

The Office of Management and Budget advises that there is no objection to the presentation of this report from the standpoint of the

administration's program.

Sincerely,

J. PHIL CAMPBELL, Under Secretary.

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, and existing law in which no change is proposed is shown in roman):

THE ACT OF SEPTEMBER 2, 1960 7 U.S.C. 591

EXPORT STANDARDS

§ 591. Standards of export; establishment; shipping without certificate forbidden; hearings

It shall be unlawful for any person to ship or offer for shipment or for any carrier, or any steamship company, or any person to transport or receive for transportation to any foreign destination, except as provided in this chapter, any grapes or plums of any variety in packages which are not accompanied by a certificate issued under authority of the Secretary showing that such grapes or plums are of a Federal or State grade which meets the minimum of quality established for such variety and destination by the Secretary for shipment in export to such destination. The Secretary is authorized to prescribe, by regulations, the requirements, other than those of grades, which the fruit must meet before certificates are issued. The Secretary shall provide opportunity, by public hearing or otherwise, for interested persons to examine and make recommendation with respect to any standard of export proposed to be established or designated, or regulation prescribed, by the Secretary for the purposes of this chapter.

REPORT No. 93-1415

MINIMUM GRADE STANDARDS FOR GRAPES AND PLUMS

DECEMBER 19, 1974.—Ordered to be printed

Mr. Talmadge, from the Committee on Agriculture and Forestry, submitted the following

REPORT

[To accompany H.R. 13022]

The Committee on Agriculture and Forestry, to which was referred the bill (H.R. 13022) to amend the Act of September 2, 1960, as amended, so as to authorize different minimum grade standards for packages of grapes and plums exported to different destinations, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

SHORT EXPLANATION

H.R. 13022 would amend the Act of September 2, 1960, which authorizes the Secretary of Agriculture to establish and enforce uniform grade standards for packages of grapes and plums exported from the United States.

The 1960 Act was enacted at the request of the grape and plum industry in order to improve the quality of these commodities which are

exported.

H.R. 13022 would facilitate the administration of the 1960 Act by permitting the Secretary of Agriculture to establish different grade requirements for different export destinations for any variety of U.S. produced grapes and plums.

EXCERPTS FROM THE REPORT BY THE HOUSE COMMITTEE ON AGRICULTURE

COMMITTEE CONSIDERATION

On February 25, 1974, H.R. 13022 was introduced in the House by Mr. Sisk. The legislation was referred to the Domestic Marketing and Consumer Relations Subcommittee of the Committee on Agriculture. On September 19, 1974, in an open business meeting the Domestic Marketing and Consumer Relations Subcommittee ordered the bill reported by a voice vote to the full committee. On October 9, 1974, in an open business meeting, H.R. 13022 was ordered reported to the House by a voice vote and in the presence of a quorum.

Administration Position

The Department of Agriculture recommended passage of H.R. 13022 in the following letter from Under Secretary of Agriculture J. Phil Campbell:

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D.C., July 19, 1974.

Hon. W. R. Poage, Chairman, Committee on Agriculture, House of Representatives.

DEAR MR. CHAIRMAN: This is in reply to your request of February 28, 1974, for a report on H.R. 13022, a bill to amend the act of September 22, 1960, as amended, so as to authorize different minimum grade standards for packages of grapes and plums exported to different destinations.

This Department recommends that H.R. 13022 be passed.

The bill would further amend the Export Grape and Plum Act (74 Stat. 734, 75 Stat. 220; 7 U.S.C. 591-599) to authorize the establishment of different grade requirements for different export destinations for any variety of grapes or plums in packages. The act currently provides for the establishment of a uniform grade requirement

for any such variety to all export destinations.

The grape and plum industries advise that there is a need to provide for different levels of grade regulation for different export destinations so that the differences in quality preferences in different export markets may be recognized in the regulations under the act. For example, there apparently is an opportunity to expand the Japanese market by supplying that market with superior quality grapes. If the act is amended as the bill proposes, the regulations can be changed to require that grapes for export to Japan shall meet a grade consistent with the quality preference of that market. Similarly, the regulations can prescribe grade requirements for other markets appropriate to the demands of those markets.

When regulations are effective under the act, inspection and certification prior to export are mandatory to assure compliance with the regulations applicable to each variety. Should grade requirements differ by destination, the inspection certificate would indicate that the fruit meets the requirements for the particular variety for the destinations specified by the exporter.

Enactment of H.R. 13022 would have no significant impact on the

environment.

It is not anticipated that enactment of the proposed legislation would result in any added costs of administration. Under provisions of the

act, the cost of mandatory inspection and certification are defrayed by fees collected from the applicant. The bill would not change such

provisions.

The Office of Management and Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely,

J. PHIL CAMPBELL, Under Secretary.

COST ESTIMATE

In accordance with section 252 of the Legislative Reorganization Act of 1970, the Committee estimates that no additional cost would be incurred by the Federal Government during the current and the five subsequent fiscal years as a result of the enactment of H.R. 13022. The cost of the mandatory inspection of grapes and plums moving into the export trade is defrayed by fees collected from the exporter, and the bill makes no change in this provision.

No estimate of costs with respect to H.R. 13022 was submitted to the Committee by any Federal agency. However, the Committee's estimate is the same as the estimate made by the House Committee on Agriculture (and the estimate communicated to that Committee by the Depart-

ment of Agriculture).

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

Public Law 86-687

(September 2, 1960)

AN ACT

To promote the foreign trade of the United States in grapes and plums, to protect the reputation of American-grown grapes and plums in foreign markets, to prevent deception or misrepresentation as to the quality of such products moving in foreign commerce, to provide for the commercial inspection of such products entering such commerce, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be unlawful for any person to ship or offer for shipment or for any carrier, or any steamship company, or any person to transport or receive for transportation to any foreign destination, except as provided in this Act, any grapes or plums of any variety in packages which are not accompanied by a certificate issued under authority of the Secretary showing that such grapes or plums are of a Federal or State grade

which meets the minimum of quality established for such variety and destination by the Secretary for shipment in export to such destination. The Secretary is authorized to prescribe, by regulations, the requirements, other than those of grades, which the fruit must meet before certificates are issued. The Secretary shall provide opportunity, by public hearing or otherwise, for interested persons to examine and make recommendation with respect to any standard of export proposed to be established or designated, or regulation prescribed, by the Secretary for the purposes of this Act.

Hinety-third Congress of the United States of America

AT THE SECOND SESSION

Begun and held at the City of Washington on Monday, the twenty-first day of January, one thousand nine hundred and seventy-four

An Act

To amend the Act of September 2, 1960, as amended, so as to authorize different minimum grade standards for packages of grapes and plums exported to different destinations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of September 2, 1960, as amended (74 Stat. 734), is amended by inserting in the first sentence thereof "and destination" immediately following the words "such variety" and "to such destination" at the end of such sentence.

Speaker of the House of Representatives.

Vice President of the United States and President of the Senate.

December 24, 1974

Dear Mr. Director:

The following bills were received at the White House on December 24th:

					/
5.J. Res. 40	ys. 3481	H.R.	8958/	A.R.	14600
8.J. Res. 133	V, 8. 3548 V	H.R.	89811/	H.R.	14689
8.J. Res. 262	B. 3934 V	H.R.	9182 //	VH.R.	14718
vs. 251	√8. 3943 /	H.R.	9199 1	VII.R.	15173
8. 356	8. 3976 V	H.R.	9588	M.R.	15223
8. 521	s. 4073/	H.R.	9654	心主。R.	15229 1/
8. 544	√s. 4206		10212	M.R.	15322
8. 663 //r	f.J. Res. 1178	A.R.	10701		15977
v8. 754	H.J. Res. 1180		10710		16045
8. 1017	VH.R. 421		10827 //		16215
8. 1083 ,	H.R. 1715		11144//		16596
VS. 1296 V/	H.R. 1820		11273		16925///
8. 1418 V/	H.R. 2208		11796		17010
s. 2149	√H.R. 2933	✓H.R.	11802		17045
8. 2446	E.R. 3203 V	ALR.	11847	M.R.	17085
s. 2807 V	H.R. 3339 V_{s}	/H.R.	11897		17468
s. 2854	H.R. 5264		12044	M.R.	17558
s. 2888	H.R. 5463	H.R.	12113		17597
S. 2994	VH.R. 5773	H.R.	12427		17628
VS. 3022 /	II.R. 7599		12684	✓H.R.	17655
8. 3289 V	H.R. 7684	A.R.			
s. 3358	H.R. 7767		13296		
8. 33 59	H.R. 8214	A.R.	13 869		
8. 3394	H.R. 8322		144491		
✓s. 34330/	H.R. 8591	✓H.R.	14461 1		

Please let the President have reports and recommendations as to the approval of these bills as soon as possible.

Sincerely,

Robert D. Linder Chief Executive Clerk

The Honorable Roy L. Ash Director Office of Management and Budget Washington, D. C.