

# Notices

Federal Register

Vol. 69, No. 209

Friday, October 29, 2004

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

[Docket No. FV-05-333]

#### United States Standards for Grades of Canned Pears

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

**ACTION:** Notice.

**SUMMARY:** The Agricultural Marketing Service (AMS) of the Department of Agriculture (USDA) is revising the United States Standards for Grades of Canned Pears. AMS received two petitions, one from a grower cooperative, the other from a processor, requesting that USDA change the character classification for Grade "B", slices, and diced, to read "the units are reasonably tender or tenderness may be variable within the unit." This change was requested by the industry in order to bring the standards for canned pears in line with the present quality levels being marketed today and provide guidance in the effective utilization of canned pears.

**EFFECTIVE DATE:** November 29, 2004.

**FOR FURTHER INFORMATION CONTACT:** Karen L. Kaufman, Processed Products Branch, Fruit and Vegetable Programs, Agricultural Marketing Service, U.S. Department of Agriculture, STOP 0247, 1400 Independence Avenue SW., Washington, DC 20250-0247; fax (202) 690-1087 or e-mail at [karen.kaufman@usda.gov](mailto:karen.kaufman@usda.gov). The final United States Standards for Grades of Canned Pears, will be available either through the address cited above or by accessing the AMS Home Page on the Web at "<http://www.ams.usda.gov/standards/frutcan.htm>."

**SUPPLEMENTARY INFORMATION:** Section 203(c) of the Agricultural Marketing Act of 1946, as amended, directs and authorizes the Secretary of Agriculture "to develop and improve standards of

quality, condition, quantity, grade and packaging and recommend and demonstrate such standards in order to encourage uniformity and consistency in commercial practices \* \* \*." AMS is committed to carrying out this authority in a manner that facilitates the marketing of agricultural commodities and makes copies of official standards available upon request. Those United States Standards for Grades of Fruits and Vegetables no longer appear in the Code of Federal Regulations but are maintained by USDA/AMS/Fruit and Vegetable Programs.

AMS is revising the U.S. Standards for Grades of Canned Pears using the procedures that appear in Part 36 of Title 7 of the Code of Federal Regulations (7 CFR Part 36).

#### Proposed by the Petitioner

AMS received two petitions, one from a grower cooperative and the other from a processor, requesting the revision of the United States Standards for Grades of Canned Pears. The standards are established under the authority of the Agricultural Marketing Act of 1946 (7 U.S.C. 1621-1627). The petitioners represent growers from Washington State, Oregon and parts of California.

The petitioners are requesting that USDA change the character classification for Grade "B", slices, and diced, canned pears. The petitioners believe the change in the standard will improve the economic position of domestic growers of pears.

Prior to undertaking research and other work associated with revising the grade standards, AMS decided to seek public comments on the petition. A notice requesting comments on the petition to revise the United States Standards for Grades of Canned Pears was published in the January 21, 2004, **Federal Register** (69 FR 2885). A second notice was published in the July 21, 2004, **Federal Register** (69 FR 139) based on comments received from the first notice. AMS received one comment in response to the second notice. The comment favored the revision to the standard. These comments are available by accessing AMS's Home Page on the Internet at: <http://www.ams.usda.gov/fv/ppb.html>.

Based on the comments, AMS is revising the standard for canned pears following the standard format for U.S. Grade Standards. The revision will change the character classification for

Grade "B", slices, and diced, style canned pears by including the following: "the units are reasonably tender or the tenderness may be variable within the unit." The current standard contains this wording for character classifications for halves, quarters, pieces or irregular pieces and whole pears.

This revision will provide a common language for trade, a means of measuring value in the marketing of canned pears, and provide guidance in the effective utilization of canned pears. The official grade of a lot of canned pears covered by these standards will be determined by the procedures set forth in the Regulations Governing Inspection and Certification of Processed Products Thereof, and Certain Other Processed Food Products (§ 52.1 to 52.83).

The U.S. Standards for Grades of Canned Pears will become effective 30 days after publication of this notice in the **Federal Register**.

**Authority:** 7 U.S.C. 1621-1627.

Dated: October 25, 2004.

**A.J. Yates,**

*Administrator, Agricultural Marketing Service.*

[FR Doc. 04-24161 Filed 10-28-04; 8:45 am]

**BILLING CODE 3410-02-P**

---

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

[Docket No. FV-04-302]

#### United States Standards for Grades of Sweet Potatoes

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

**ACTION:** Notice; request for public comment.

**SUMMARY:** The Agricultural Marketing Service (AMS) of the Department of Agriculture (USDA) is soliciting comments on its proposal to revise the United States Standards for Grades of Sweet Potatoes. USDA has received a request from several industry groups to add a new grade to the standards, U.S. No. 1 Petite. The change being proposed would allow the packing and shipping of smaller size sweet potatoes under the U.S. standards, thereby, improving the usefulness of the standards in serving the industry.

**DATES:** Comments must be received by December 28, 2004.

**ADDRESSES:** Interested persons are invited to submit written comments to the Standardization Section, Fresh Products Branch, Fruit and Vegetable Programs, Agricultural Marketing Service, U.S. Department of Agriculture, 1400 Independence Ave. SW., Room 1661 South Building, Stop 0240, Washington, DC 20250-0240; Fax (202) 720-8871, E-mail

*FPB.DocketClerk@usda.gov*. Comments should make reference to the dates and page number of this issue of the **Federal Register** and will be made available for public inspection in the above office during regular business hours.

**FOR FURTHER INFORMATION CONTACT:** David L. Priester, at the above address or call (202) 720-2185; E-mail *David.Priester@usda.gov*.

**SUPPLEMENTARY INFORMATION:** Section 203(c) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1621-1627), as amended, directs and authorizes the Secretary of Agriculture "to develop and improve standards of quality, condition, quantity, grade and packaging and recommend and demonstrate such standards in order to encourage uniformity and consistency in commercial practices \* \* \*." AMS is committed to carrying out this authority in a manner that facilitates the marketing of agricultural commodities and makes copies of official standards available upon request. The United States Standards for Grades of Fruits and Vegetables not connected with Federal Marketing Orders or U.S. Import Requirements, no longer appear in the Code of Federal Regulations, but are maintained by USDA/AMS/Fruit and Vegetable Programs.

AMS is proposing to revise the voluntary U.S. Standards for Grades of Sweet Potatoes using procedures that appear in part 36 Title 7 of the Code of Federal Regulations (7 CFR part 36). These standards were last revised in 1963.

### Background

On December 10, 2003, AMS published a notice soliciting comments on a possible revision to the United States Standards for Grades of Sweet Potatoes. As a result, AMS received five comments from industry groups requesting the addition of a new grade entitled U.S. No. 1 Petite, with the same requirements as the U.S. No. 1 grade currently in the standard, except for the size requirements. The request specified that the size requirements for the U.S. No. 1 Petite be: A minimum diameter of 1½ inches, a maximum diameter of 2¼

inches, a minimum length of 3 inches and a maximum length of 7 inches. These industry groups stated this new grade would aid in the marketing of smaller size sweet potatoes as the U.S. standards currently require sweet potatoes to be a larger size in order to meet a grade. Therefore, the addition of the U.S. No. 1 Petite grade to the standards would improve its usefulness in serving the industry.

The official grade of a lot of sweet potatoes covered by these standards will be determined by the procedures set forth in the Regulations Governing Inspection, Certification, and Standards of Fresh Fruits, Vegetables and Other Products (§§ 51.1 to 51.61).

This notice provides for a 60-day comment period for interested parties to comment on changes to the standard.

**Authority:** 7 U.S.C. 1621-1627.

Dated: October 25, 2004.

**A.J. Yates,**  
*Administrator, Agricultural Marketing Service.*

[FR Doc. 04-24163 Filed 10-28-04; 8:45 am]

**BILLING CODE 3410-02-P**

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

[Docket No. FV-04-306]

#### United States Standards for Grades of Watermelons

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

**ACTION:** Notice; request for public comment.

**SUMMARY:** The Agricultural Marketing Service (AMS), of the Department of Agriculture is soliciting comments on the proposal to revise the United States Standards for Grades of Watermelons. AMS has received a petition from the National Watermelon Association (NWA), requesting a definition for seedless watermelons be added to the standards. Additionally, the petition included a request to add a variance to the size requirements. This change was requested by the industry in order to bring the standards for watermelons in line with current marketing practices, thereby, improving the usefulness of the standards in serving the industry.

**DATES:** Comments must be received by December 28, 2004.

**ADDRESSES:** Interested persons are invited to submit written comments to the Standardization Section, Fresh Products Branch, Fruit and Vegetable Programs, Agricultural Marketing Service, U.S. Department of Agriculture,

1400 Independence Ave. SW., Room 1661 South Building, Stop 0240, Washington, DC 20250-0240; Fax (202) 720-8871, E-mail *FPB.DocketClerk@usda.gov*. Comments should make reference to the dates and page number of this issue of the **Federal Register** and will be made available for public inspection in the above office during regular business hours. The United States Standards for Grades of Watermelons is available either through the address cited above or by accessing the AMS Home Page on the Web at <http://www.ams.usda.gov/fv/fvstand.htm>.

**FOR FURTHER INFORMATION CONTACT:** David L. Priester, at the above address or call (202) 720-2185; E-mail *David.Priester@usda.gov*.

**SUPPLEMENTARY INFORMATION:** Section 203(c) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1621-1627), as amended, directs and authorizes the Secretary of Agriculture "to develop and improve standards of quality, condition, quantity, grade and packaging and recommend and demonstrate such standards in order to encourage uniformity and consistency in commercial practices \* \* \*." AMS is committed to carrying out this authority in a manner that facilitates the marketing of agricultural commodities and makes copies of official standards available upon request. The United States Standards for Grades of Fruits and Vegetables not connected with Federal Marketing Orders or U.S. Import Requirements, no longer appear in the Code of Federal Regulations, but are maintained by USDA/AMS/Fruit and Vegetable Programs.

AMS is proposing to revise the voluntary United States Standards for Grades of Watermelons using procedures that appear in part 36 Title 7 of the Code of Federal Regulations (7 CFR part 36). These standards were last revised in 1978.

### Background

AMS received a petition from the NWA requesting a revision to the United States Standards for Grades of Watermelons. The standards are established under the authority of the Agricultural Marketing Act of 1946 (7 U.S.C. 1621-1627). The petitioner represents watermelon growers and distributors from 30 states as well as Canada and Mexico.

The petitioner is requesting that USDA add the following definition: "Seedless Watermelons" are watermelons which have 16 or less mature seeds, not to include pips/caplets, on the face of the melon which