

# 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

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

[Docket No. FV-04-333]

**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 the proposal to revise 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.

**DATES:** Comments must be submitted on or before September 20, 2004.

**ADDRESSES:** Interested persons are invited to submit written comments concerning this notice. Comments should reference the date and page of this issue of the **Federal Register**. All comments received will be made available for public inspection at the address listed below during regular business hours and on the Internet. Please submit comments to Karen L. Kaufman, Standardization Section, Processed Products Branch, Fruit and Vegetable Programs, Agricultural Marketing Service, U.S. Department of Agriculture, 1400 Independence Avenue SW.; Room 0709, South Building; STOP 0247, Washington, DC 20250; Fax (202) 690-1527, e-mail

karen.kaufman@usda.gov or <http://www.regulations.gov>. The current United States Standards for Grades of Canned Pears, along with the proposed changes, 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>.

#### FOR FURTHER INFORMATION CONTACT:

Karen L. Kaufman at (202) 720-5021 or e-mail at [karen.kaufman@usda.gov](mailto:karen.kaufman@usda.gov).

**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 proposing to revise 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).

In response to our request for comments, AMS received two comments both from pear processors. The comments favored the proposed revision of the standard.

Based on the submitted information, AMS is proposing to revise the standard for canned pears following the standard format for U.S. Grade Standards. The proposed 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 proposal 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).

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

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

Dated: July 14, 2004.

**A. J. Yates,**

*Administrator, Agricultural Marketing Service.*

[FR Doc. 04-16486 Filed 7-20-04; 8:45 am]

**BILLING CODE 3410-02-P**

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

[No. LS-04-11]

#### Results of Soybean Request for Referendum

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

**ACTION:** Notice.

**SUMMARY:** The Agricultural Marketing Service's (AMS) Request for Referendum shows that too few soybean producers want a referendum on the