

# 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

[Docket Number FV-05-309]

#### United States Standards for Grades of Dewberries and Blackberries

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

**ACTION:** Notice.

**SUMMARY:** The Agricultural Marketing Service (AMS), prior to undertaking research and other work associated with revising official grade standards, is soliciting comments on the need for possible revisions of the United States Standards for Grades of Dewberries and Blackberries. At a 2003 meeting with the Fruit and Vegetable Industry Advisory Committee, AMS was asked to review the Fresh Fruit and Vegetable grade standards for usefulness in serving the industry. As a result AMS has identified the color requirement for possible revision. Additionally, AMS is seeking comments regarding any other revisions that may be necessary to better serve the industry.

**DATES:** Comments must be received by August 22, 2005.

**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](mailto: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 Dewberries and Blackberries are available either at the above address or

by accessing the Fresh Products Branch Web site at: <http://www.ams.usda.gov/standards/stanfjrv.htm>.

**FOR FURTHER INFORMATION CONTACT:**

David L. Priester, at the above address or call (202) 720-2185; E-mail [David.Priester@usda.gov](mailto: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 Dewberries and Blackberries using procedures that appear in Part 36, Title 7 of the Code of Federal Regulations (7 CFR part 36). These standards were published on February 13, 1928.

#### Background

At a 2003 meeting with the Fruit and Vegetable Industry Advisory Committee, AMS was asked to review the Fresh Fruit and Vegetable grade standards for usefulness in serving the industry. AMS has identified the United States Standards for Grades of Dewberries and Blackberries for possible revision. One area being reviewed is the color requirement. This requirement currently states, "The whole surface of the berry shall be a blue or black color." AMS is considering changing the color requirement to allow for a lesser amount of color and/or requirement currently states, "The whole surface of the berry shall be a blue or black color." AMS is considering changing the color requirement to allow for a lesser amount of color and/or varying shades of color. However, prior to undertaking detailed work to develop the proposed revision

to the standards, AMS is soliciting comments on the proposed revision and any other comments on the United States Standards for Grades of Dewberries and Blackberries to better serve the industry and the probable impact of any revisions on distributors, processors, and growers.

This notice provides for a 60-day comment period for interested parties to comment on whether any changes are necessary to the standards. Should AMS conclude that there is a need for any revisions of the standards, the proposed revisions will be published in the **Federal Register** with a request for comments in accordance with 7 CFR part 36.

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

Dated: June 15, 2005.

**Kenneth C. Clayton,**

*Acting Administrator, Agricultural Marketing Service.*

[FR Doc. 05-12155 Filed 6-20-05; 8:45 am]

**BILLING CODE 3410-02-P**

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

[Docket Number FV-04-311]

#### United States Standards for Grades of Kale

**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 Kale. Specifically, AMS is revising the standards to allow percentages to be determined by count rather than weight and the application of tolerances for packages which contain less than 15 specimens. Additionally, AMS is revising the standards to allow the standards to be used for kale leaves and bunches of leaves in addition to kale plants. The revisions will bring the standards for kale in-line with current marketing practices, thereby improving their usefulness in serving the industry.

**DATES:** *Effective Date:* July 21, 2005.

**FOR FURTHER INFORMATION CONTACT:**

David Priester, Standardization Section, Fresh Products Branch, Fruit and Vegetable Programs, Agricultural Marketing Service, U.S. Department of

Agriculture, 1400 Independence Avenue, SW., Room 1661 South Building, STOP 0240, Washington, DC 20250-0240, Fax (202) 720-8871 or call (202) 720-2185; E-mail

[David.Priester@usda.gov](mailto:David.Priester@usda.gov). The revised United States Standards for Grades of Kale will be available either through the address cited above or by accessing the AMS, Fresh Products Branch Web site at: <http://www.ams.usda.gov/standards/stanfrfv.htm>.

**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. AMS 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 revising the voluntary U.S. Standards for Grades of Kale using procedures that appear in Part 36, Title 7 of the Code of Federal Regulations (7 CFR part 36).

#### Background

On October 1, 2004, AMS published a notice in the **Federal Register** (69 FR 58879) soliciting comments on the possible revision to the United States Standards for Grades of Kale. In response to our request for comments, AMS received one comment from an industry group in favor of the proposed revision. The group also requested to allow the standards to be used for kale leaves and bunched kale leaves in addition to kale plants.

A second notice was published in the March 11, 2005, **Federal Register** (70 FR 12172) based on the comment received on the first notice. AMS received one comment from an industry group in response to the second notice. The comment was in favor of the revision to the standard. The favorable comment stated that a well-defined standard for kale shipped in a variety of ways will improve consistency of delivered product and enhance the relevance and effectiveness of USDA inspections. The comment is available by accessing AMS's Home Page on the Internet at:

<http://www.ams.usda.gov/fv/fpbddocketlist.htm>.

Additionally, AMS is eliminating the unclassified category. This section is being removed in all standards, when they are revised. This category is not a grade and only serves to show that no grade has been applied to the lot. It is no longer considered necessary.

Based on comments received and information gathered, AMS believes the revisions to the standards will bring the standards for kale in-line with current marketing practices and thereby improve their usefulness.

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

The United States Standards for Grades of Kale will become effective 30 days after the publication of this notice in the **Federal Register**.

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

Dated: June 15, 2005.

**Kenneth C. Clayton,**

*Acting Administrator, Agricultural Marketing Service.*

[FR Doc. 05-12154 Filed 6-20-05; 8:45 am]

**BILLING CODE 3410-02-P**

## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

[Docket No. 05-032-1]

#### Notice of Request for Extension of Approval of an Information Collection; Importation of Clementines From Spain

**AGENCY:** Animal and Plant Health Inspection Service, USDA.

**ACTION:** Extension of approval of an information collection; comment request.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, this notice announces the Animal and Plant Health Inspection Service's intention to request an extension of approval of an information collection associated with regulations for importation of clementines to the United States from Spain.

**DATES:** We will consider all comments that we receive on or before August 22, 2005.

**ADDRESSES:** You may submit comments by any of the following methods:

EDOCKET: Go to <http://www.epa.gov/feddocket> to submit or view public

comments, access the index listing of the contents of the official public docket, and to access those documents in the public docket that are available electronically. Once you have entered EDOCKET, click on the "View Open APHIS Dockets" link to locate this document.

#### Postal Mail/Commercial Delivery:

Please send four copies of your comment (an original and three copies) to Docket No. 05-032-1, Regulatory Analysis and Development, PPD, APHIS, Station 3C71, 4700 River Road Unit 118, Riverdale, MD 20737-1238. Please state that your comment refers to Docket No. 05-032-1.

**Reading Room:** You may read any comments that we receive on this docket in our reading room. The reading room is located in room 1141 of the USDA South Building, 14th Street and Independence Avenue SW., Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 690-2817 before coming.

**Other Information:** You may view APHIS documents published in the **Federal Register** and related information on the Internet at <http://www.aphis.usda.gov/ppd/rad/webrepor.html>.

#### FOR FURTHER INFORMATION CONTACT:

For information regarding the importation of clementines from Spain, contact Donna L. West, Senior Import Specialist, Commodity Analysis and Operations, PRI, APHIS, 4700 River Road Unit 133, Riverdale, MD 20737; (301) 734-8758. For copies of more detailed information on the information collection, contact Mrs. Celeste Sickles, APHIS\* Information Collection Coordinator, at (301) 734-7477.

#### SUPPLEMENTARY INFORMATION

**Title:** Importation of Clementines from Spain.

**OMB Number:** 0579-0203.

**Type of Request:** Extension of approval of an information collection.

**Abstract:** As authorized by the Plant Protection Act (7 U.S.C. 7701-7772) (PPA), the Secretary of Agriculture may prohibit or restrict the importation, entry, exportation, or movement in interstate commerce of any plant, plant product, biological control organism, noxious weed, means of conveyance, or other article if the Secretary determines that the prohibition or restriction is necessary to prevent a plant pest or noxious weed from being introduced into or disseminated within the United States. This authority has been delegated to the Animal and Plant