

# 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.*

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**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