

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*.

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]

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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

Soybean Promotion and Research Order (Order) for one to be conducted. The Request for Referendum was held from May 1, 2004, through May 28, 2004, at the Department of Agriculture's (USDA) county Farm Service Agency offices. To trigger a referendum 66,388 soybean producers must complete a Request for Referendum. The number of soybean producers requesting a referendum was 3,206.

FOR FURTHER INFORMATION CONTACT: Kenneth R. Payne, Chief; Marketing Programs Branch, Room 2638-S; Livestock and Seed Program, AMS, USDA; STOP 0251; 1400 Independence Avenue, SW.; Washington, DC 20250-0251, telephone number 202/720-1115, or via e-mail at Kenneth.Payne@usda.gov.

SUPPLEMENTARY INFORMATION: Pursuant to the Soybean Promotion, Research, and Consumer Information Act (Act) (7 U.S.C. 6301 *et seq.*), every 5 years the Secretary of Agriculture (Secretary) will give soybean producers the opportunity to request a referendum on the Order. If the Secretary determines that at least 10 percent of U.S. producers engaged in growing soybeans (not in excess of one-fifth of which may be producers in any one State) support the conduct of a referendum, the Secretary must conduct a referendum within 1 year of that determination. If these requirements are not met, a referendum would not be conducted.

A notice of opportunity to Request a Soybean Referendum was publicized in the **Federal Register** (69 FR 15289) on March 25, 2004. To be eligible to participate in the Request for Referendum, producers or the producer entity that they are authorized to represent must have certified and provided supporting documentation showing that they or the producer entity they represent paid on assessment sometime during the representative period between January 1, 2002, and December 31, 2003.

According to USDA, there are 663,880 soybean producers in the United States (see 69 FR 13458).

A total of 3,206 valid Requests for Referendum were completed by eligible soybean producers. This number does not meet the requisite number of 66,388. Therefore, based on the Request for Referendum results, a referendum will not be conducted. In accordance with the provisions of the Act, soybean producers will be provided another opportunity to request a referendum in 5 years.

The following is the State-by-State results of the Request for Referendum:

State	Number of valid requests for referendum
Alabama	0
Alaska	0
Arizona	0
Arkansas	19
California	0
Colorado	4
Connecticut	0
Delaware	1
Florida	0
Georgia	6
Hawaii	0
Idaho	0
Illinois	1,145
Indiana	220
Iowa	542
Kansas	92
Kentucky	11
Louisiana	2
Maine	0
Maryland	6
Massachusetts	0
Michigan	49
Minnesota	258
Mississippi	4
Missouri	182
Montana	0
Nebraska	92
Nevada	0
New Hampshire	0
New Jersey	1
New Mexico	0
New York	1
North Carolina	18
North Dakota	16
Ohio	331
Oklahoma	7
Oregon	0
Pennsylvania	20
Puerto Rico	0
Rhode Island	0
South Carolina	4
South Dakota	112
Tennessee	9
Texas	5
Utah	0
Vermont	0
Virginia	10
Washington	0
West Virginia	11
Wisconsin	28
Wyoming	0
Total	3,206

Authority: 7 U.S.C. 6301-6311.

Dated: July 14, 2004.

A. J. Yates,

Administrator, Agricultural Marketing Service.

[FR Doc. 04-16487 Filed 7-20-04; 8:45 am]

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DEPARTMENT OF AGRICULTURE

Forest Service

Annual List of Newspapers To Be Used by the Alaska Region for Publication of Legal Notices of Proposed Actions and Legal Notices of Decisions Subject to Administrative Appeal Under 36 CFR Part 215

AGENCY: Forest Service, USDA.

ACTION: Notice.

SUMMARY: This notice lists the newspapers that Ranger Districts, Forests, and the Regional Office of the Alaska Region will use to publish legal notice of all decisions subject to appeal under 36 CFR part 215 and to publish legal notices for public comment on actions subject to the notice and comment provisions of 36 CFR part 215, as updated on June 4, 2003. The intended effect of this action is to inform interested members of the public which newspapers will be used to publish legal notice of actions subject to public comment and decisions subject to appeal under 36 CFR part 215, thereby allowing them to receive constructive notice of a decision or proposed action, to provide clear evidence of timely notice, and to achieve consistency in administering the appeals process.

ADDRESSES: Robin Dale, Alaska Region Group Leader for Appeals, Litigation and FOIA; Forest Service, Alaska Region; P.O. Box 21628; Juneau, Alaska 99802-1628.

DATES: Publication of legal notices in the listed newspapers begins on July 1, 2004. This list of newspapers will remain in effect until it is superceded by a new list, published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT:

Robin Dale; Alaska Region Group Leader for Appeals, Litigation and FOIA; (907) 586-9344.

SUPPLEMENTARY INFORMATION: This notice provides the list of newspapers that Responsible Officials in the Alaska Region will use to give notice of decisions subject to notice, comment, and appeal under 36 CFR part 215. The timeframe for comment on a proposed action shall be based on the date of publication of the legal notice of the proposed action in the newspapers of record identified in this notice. The timeframe for appeal under 36 CFR part 215 shall be based on the date of publication of the legal notice of the decision in the newspaper of record identified in this notice.