

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

has been cut into four equal sections (one lengthwise cut and one crosswise cut). Additionally, the petitioner is requesting the size requirements be revised. Currently the size requirements state, "When the size of the watermelons is stated in terms of average weight, unless otherwise specified, the melons in any lot averaging less than 30 pounds (13.6 kgs.) shall not vary more than 3 pounds (1.4 kgs.) below the stated average, and the melons in any lot averaging 30 pounds (13.6 kgs.) or more shall not vary more than 5 pounds (2.3 kgs.) below the stated average." The petitioner is requesting the size requirements be revised to allow for watermelons to vary 3 pounds above or below the average. Therefore, the size requirements would state, "When the size of the watermelons is stated in terms of average weight, unless otherwise specified, the melons in any lot averaging less than 30 pounds (13.6 kgs.) shall not vary more than 3 pounds (1.4 kgs.) above or below the stated average, and the melons in any lot averaging 30 pounds (13.6 kgs.) or more shall not vary more than 5 pounds (2.3 kgs.) below the stated average."

Prior to undertaking research and other work associated with revision of 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 Watermelons was published in the April 22, 2004, **Federal Register** (69 FR 21812).

In response to our request for comments, AMS received one comment from an industry group. The comment was in favor of the proposed revision of the standards.

Based on the submitted information, AMS is proposing to revise the standards for watermelons following the standard format for U.S. Grade Standards. Specifically, the proposed revision will define seedless watermelons by including 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 has been cut into four equal sections (one lengthwise cut and one crosswise cut). AMS is also proposing to change the size requirements by adding an allowance for watermelons to vary 3 pounds above or below the stated average weight.

This proposal will bring the standards for watermelons in line with current marketing practices, thereby, improving the usefulness of the standards in serving the industry. The official grade of a lot of watermelons 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 standards.

Authority: 7 U.S.C. 1621–1627.

Dated: October 25, 2004.

A.J. Yates,

Administrator, Agricultural Marketing Service.

[FR Doc. 04–24162 Filed 10–28–04; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF AGRICULTURE

Farm Service Agency

Florida Citrus, Fruit, Vegetable, and Nursery Crop Disaster Programs

AGENCY: Farm Service Agency, USDA.

ACTION: Notice of program implementation.

SUMMARY: This notice announces the availability of disaster relief for producers of citrus, selected tropical fruits, vegetables, fruits and nursery crops located in Florida counties that have received a Presidential disaster declaration for Hurricanes Charley, Frances, or Jeanne in order to reestablish producers' purchasing power in the following Presidentially-declared disaster counties, and any other such counties subsequently declared by the President: Alachua, Baker, Bay, Bradford, Brevard, Broward, Calhoun, Charlotte, Citrus, Clay, Collier, Columbia, DeSoto, Dixie, Duval, Escambia, Flagler, Franklin, Gadsden, Gilchrist, Glades, Gulf, Hamilton, Hardee, Hendry, Hernando, Highlands, Hillsborough, Holmes, Indian River, Jackson, Jefferson, Lafayette, Lake, Lee, Leon, Levy, Liberty, Madison, Manatee, Marion, Martin, Miami-Dade, Monroe, Nassau, Okaloosa, Okeechobee, Orange, Osceola, Palm Beach, Pasco, Pinellas, Polk, Putnam, Santa Rosa, Sarasota, Seminole, St. Johns, St. Lucie, Sumter, Suwannee, Taylor, Union, Volusia, Wakulla, Walton, and Washington.

EFFECTIVE DATE: October 28, 2004.

FOR FURTHER INFORMATION CONTACT: Eloise Taylor, Branch Chief, Compliance Branch, Production, Emergencies, and Compliance Division, Farm Service Agency (FSA), USDA, STOP 0517, 1400 Independence Avenue, SW., Washington, DC 20250–0517; phone: (202) 720–9882; fax: (202) 720–4941; e-mail: Eloise.Taylor@usda.gov.

SUPPLEMENTARY INFORMATION:

I. Background

Section 32 of the Agricultural Act of August 24, 1935, allows the Secretary of Agriculture to make payments to restore producers' purchasing power. This authority has been used in the past to provide assistance to producers in response to unusual market conditions that adversely affected producers. Similarly, the widespread and significant destruction that resulted in Florida from Hurricanes Charley, Frances, and Jeanne has adversely affected the purchasing power of certain producers of agricultural commodities in those counties listed in the summary paragraph of this notice. Accordingly, the Secretary of Agriculture has determined that assistance is appropriate under this authority, in these counties, for producers of crops of citrus, nursery, vegetables, fruits and selected tropical fruits. Payment rates under each program will be as announced by FSA.

Notice and Comment

Because of the need to provide timely assistance to disaster affected producers, this program is effective immediately without regard to the provisions of 5 U.S.C. 553 and the Statement of Policy of the Secretary of Agriculture dated July 24, 1971 (36 FR 13804).

Small Business Regulatory Enforcement Fairness Act

In accordance with 5 U.S.C. 808, because the payments provided under this notice need to be made to affected producers as timely as possible, it was determined that a delay for consultation, review, and comment on this notice would be impracticable and contrary to the public interest. Thus, this notice is effective immediately.

Paperwork Reduction Act

A request for emergency clearance of the information collections associated with this notice was submitted to the Office of Management and Budget (OMB) under 5 CFR 1320.13 (a)(2)(iii), and has been approved by OMB and assigned OMB control number 0560–0247.

Environmental Review

Due to the weather-related disasters requiring the Agency to provide immediate relief, sufficient time was not available to complete an environmental review prior to implementing this program. Therefore, an environmental assessment is being completed to consider the potential impacts of this proposed action on the human environment in accordance with the provisions of the National