

comment received and information gathered, AMS has developed proposed grade standards for pea pods. This proposal would establish the following grades, as well as a tolerance for each grade: U.S. Fancy and U.S. No. 1. In addition, there are proposed "Tolerances," and "Application of Tolerances" sections. AMS is proposing to define "Injury," "Damage" and "Serious Damage," along with specific basic requirements and definitions for defects.

The official grade of a lot or shipment of fresh vegetables covered by U.S. 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).

This notice provides for a 60-day comment period for interested parties to comment on the proposed United States Standards for Grades of Pea Pods.

**Authority:** 7 U.S.C. 1621–1627.

Dated: January 18, 2006.

**Lloyd C. Day,**

*Administrator, Agricultural Marketing Service.*

[FR Doc. E6–784 Filed 1–23–06; 8:45 am]

**BILLING CODE 3410–02–P**

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

[Docket Number FV–05–301]

#### United States Standards for Grades of Strawberries

**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 Strawberries. AMS received a request from an industry group to modify the standards to allow that percentages be determined by count and not volume. The change will make tolerance determination more objective and more uniform.

**DATES:** Effective Date: February 23, 2006.

**FOR FURTHER INFORMATION CONTACT:**

Cheri L. Emery, 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

*Cheri.Emery@usda.gov*. The revised United States Standards for Grades of Strawberries 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 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 revising the voluntary United States Standards for Grades of Strawberries using procedures that appear in Part 36, Title 7 of the Code of Federal Regulations (7 CFR part 36).

#### Background

Prior to undertaking detailed work to develop a proposed revision to the standard, AMS published a notice on March 11, 2005, in the **Federal Register** (70 FR 12175) soliciting comments on a possible revision to the United States Standards for Grades of Strawberries. After receiving comments, a second notice was published in the September 7, 2005, **Federal Register** (70 FR 53148–9) concerning the proposed percentage determination. In response to this notice, AMS received one comment from a state agricultural representative opposing the proposed revision. The comment is available by accessing the AMS, Fresh Products Branch Web site at: <http://www.ams.usda.gov/fv/fpbdoctlist.htm>.

The comment stated that the size variance is too great to make a count-based inspection an accurate representation of the lot and that maybe the commodity should be inspected by weight. However, AMS believes that allowing percentages to be determined by count and not volume would establish a uniform procedure for determining the percentages, thereby

providing more objectivity to an inspection.

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.

The official grade of a lot of strawberries 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 Strawberries will become effective 30 days after the publication of this notice in the **Federal Register**.

**Authority:** 7 U.S.C. 1621–1627.

Dated: January 18, 2006.

**Lloyd C. Day,**

*Administrator, Agricultural Marketing Service.*

[FR Doc. E6–781 Filed 1–23–06; 8:45 am]

**BILLING CODE 3410–02–P**

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

[Docket Number FV–06–304]

#### United States Standards for Grades of Table Grapes (European or Vinifera Type)

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

**ACTION:** Notice.

**SUMMARY:** The Agricultural Marketing Service (AMS) of the Department of Agriculture (USDA), is soliciting comments on a proposal to revise the United States Standards for Grades of Table Grapes (European or Vinifera Type). AMS has received petitions from the California Grape and Tree Fruit League and Western Growers Association, requesting that the current standards be modified by adding a 10 percent allowance for shattered berries in consumer containers for en route or at destination.

**DATES:** Comments must be received by March 27, 2006.

**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 Table Grapes (European or Vinifera Type) are 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>.

**FOR FURTHER INFORMATION CONTACT:** Cheri L. Emery, at the above address or call (202) 720-2185, E-mail [Cheri.Emery@usda.gov](mailto:Cheri.Emery@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.

### Background

AMS received petitions from the California Grape and Tree Fruit League and Western Growers Association, requesting a revision to the United States Standards for Grades of Table Grapes (European or Vinifera Type). These standards were last revised in 1999. The petitioners represent more than 85 percent of the European or Vinifera type table grape production in the United States.

The petitioners are requesting that AMS revise the standards to provide a 10 percent allowance for shattered berries in consumer containers for en route or at destination. Shattered means that the berry is detached from the bunch. The standards currently provide a 12 percent total tolerance for bunches and berries failing to meet the requirements of grade for en route or at destination. Revising the standards to include a separate 10 percent allowance would mean that shattered berries would not be scored as a defect against the 12 percent total tolerance until the amount of shattered berries exceeds the 10 percent allowance. For example: (1) A lot of berries which has 22 percent shattered berries 12 percent would meet the requirements of the U.S. No. 1 Table grade provided no other defects were

present; (2) a lot of berries which has 23 percent shattered berries 13 percent would be reported as a defect which would cause the lot to fail meet the requirements of the U.S. No. Table 1 grade by 1 percent. The petitioners stated that they feel change, specific to consumer containers, is warranted as the majority of table grapes are now being sold in consumer containers which allows shattered berries to be fully utilized/sold. This does not hold true for shattered berries in bulk containers, as these berries remain loose in the container, therefore, limiting the ability to fully utilize/sell the shattered berries.

Prior to undertaking detailed work to develop a proposed revision to the standards, AMS is soliciting comments on the petition submitted to revise the United States Standards for Grades of Table Grapes (European or Vinifera Type).

This notice provides for a 60-day comment period for interested parties to comment on changes to the standards. Should AMS conclude that revisions are needed, the Agency will develop a proposed revised standard that will be published in the **Federal Register** with a request for comments.

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

Dated: January 18, 2006.

**Lloyd C. Day,**

*Administrator, Agricultural Marketing Service.*

[FR Doc. E6-783 Filed 1-23-06; 8:45 am]

**BILLING CODE 3410-02-P**

## DEPARTMENT OF AGRICULTURE

### Food and Nutrition Service

#### Summer Food Service Program for Children Program Reimbursement for 2006

**AGENCY:** Food and Nutrition Service, USDA.

**ACTION:** Notice.

**SUMMARY:** This notice informs the public of the annual adjustments to the reimbursement rates for meals served in the Summer Food Service Program for Children (SFSP). These adjustments reflect changes in the Consumer Price Index and are required by the statute governing the Program. In addition, further adjustments are made to these rates to reflect the higher costs of providing meals in the States of Alaska and Hawaii, as authorized by the William F. Goodling Child Nutrition Reauthorization Act of 1998.

**DATES:** *Effective Date:* January 1, 2006.

**FOR FURTHER INFORMATION CONTACT:** Robert M. Eadie, Branch Chief, Policy and Program Development Branch, Child Nutrition Division, Food and Nutrition Service, U.S. Department of Agriculture, 3101 Park Center Drive, Room 640, Alexandria, Virginia 22302, (703) 305-2590.

**SUPPLEMENTARY INFORMATION:** This program is listed in the Catalog of Federal Domestic Assistance under No. 10.559 and is subject to the provisions of Executive Order 12372 which requires intergovernmental consultation with State and local officials (7 CFR part 3015, subpart V, and final rule related notice published at 48 FR 29114, June 24, 1983).

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3518), no new recordkeeping or reporting requirements have been included that are subject to approval from the Office of Management and Budget.

This notice is not a rule as defined by the Regulatory Flexibility Act (5 U.S.C. 601-612) and thus is exempt from the provisions of that Act. Additionally, this notice has been determined to be exempt from review by the Office of Management and Budget under Executive Order 12866.

### Definitions

The terms used in this Notice shall have the meaning ascribed to them in the regulations governing the Summer Food Service Program for Children (7 CFR part 225).

### Background

In accordance with Section 13 of the National School Lunch Act (NSLA) (42 U.S.C. 1761) and the regulations governing the SFSP (7 CFR part 225), notice is hereby given of adjustments in Program payments for meals served to children participating in the SFSP in 2006. Adjustments are based on changes in the food away from home series of the Consumer Price Index (CPI) for All Urban Consumers for the period November 2004 through November 2005.

Section 104(a) of the William F. Goodling Child Nutrition Reauthorization Act of 1998 (Public Law 105-336) amended Section 12(f) of the NSLA (42 U.S.C. 1760(f)) to allow adjustments to SFSP reimbursement rates to reflect the higher cost of providing meals in the SFSP in Alaska and Hawaii. Therefore, this notice contains adjusted rates for Alaska and Hawaii. This change was made in an effort to be consistent with other Child Nutrition Programs, such as the National School Lunch Program and the