

The official grade of a lot of mangos 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 (7 CFR 51.1 to 51.61).

AMS is soliciting comments on the proposed revision to the United States Standards for Grades of Mangos. This notice provides for a 60-day comment period for interested parties to comment on the requested change to the standards.

**Authority:** 7 U.S.C. 1621–1627.

Dated: January 30, 2007.

**Lloyd C. Day,**

*Administrator, Agricultural Marketing Service.*

[FR Doc. E7–1760 Filed 2–2–07; 8:45 am]

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## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

[Docket # AMS–FV–2007–0003; FV–06–307]

#### United States Standards for Grades of Mushrooms

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

**ACTION:** Notice; withdrawal.

**SUMMARY:** The Agricultural Marketing Service (AMS) is withdrawing the notice soliciting comments on its proposal to amend the voluntary United States Standards for Grades of Mushrooms. After reviewing and considering the comments received, the Agency has decided not to proceed with this action.

**EFFECTIVE DATE:** February 5, 2007.

**FOR FURTHER INFORMATION CONTACT:**

Vincent J. Fusaro, Standardization Section, Fresh Products Branch, Fruit and Vegetable Programs, Agricultural Marketing Service, U.S. Department of Agriculture, (202) 720–2185.

#### Background

At a meeting with the Fruit and Vegetable Industry Advisory Committee, AMS was asked to review all the fresh fruit and vegetable grade standards for their usefulness in serving the industry. AMS had identified the United States Standards for Grades of Mushrooms for a possible revision. The United States Standards for Grades of Mushrooms were last amended July 15, 1966.

On May 26, 2006, a notice requesting comments on the possible revision of the standards to allow the standards to be used for open veil types of mushrooms; include small, medium,

and large size classifications for open veil types of mushrooms; revise the current size classifications (small to medium and large) as well as an addition of a button and jumbo size for the closed veil types of mushrooms; and eliminate the unclassified category was published in the **Federal Register** (71 FR 30366) with the comment period ending July 25, 2006.

Two comments were received during the official period for comment. One comment from a consumer raised a number of concerns, including establishing new standards for fungi for consumption. Another comment from a national trade association representing domestic growers, buyer/shippers and processors of mushrooms, and those who provide services to the mushroom industry did not support revising the standard, stating that there was no consensus among growers, shippers, or customers as to industry-wide terms such as button, small, medium, large, or jumbo. This comment also questioned the use of the term “open veiled” and whether all such varieties would be covered by the proposed standards. Developing new standards for fungi for consumption is beyond the scope of what AMS proposed. Further, given the comment concerning the lack of consensus among the industry concerning the size terminology, we believe that the standards should not be changed at this time.

After reviewing and considering the comments received, the Agency has decided not to proceed with the action. Therefore, the notice published May 26, 2006, (71 FR 30366) is withdrawn.

**Authority:** 7 U.S.C. 1621–1627.

Dated: January 30, 2007.

**Lloyd C. Day,**

*Administrator, Agricultural Marketing Service.*

[FR Doc. E7–1761 Filed 2–2–07; 8:45 am]

**BILLING CODE 3410–02–P**

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

[Docket # AMS–FV–2006–0204; FV–06–316]

#### United States Standards for Grades of Oranges (California and Arizona) and/or United States Standards for Grades of Grapefruit (California and Arizona)

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

**ACTION:** Notice; withdrawal.

**SUMMARY:** The Agricultural Marketing Service (AMS) is withdrawing the notice soliciting comments on its

proposal to amend the voluntary United States Standards for Grades of Oranges (California and Arizona) and/or United States Standards for Grades of Grapefruit (California and Arizona). After reviewing and considering the comment received, the Agency has decided not to proceed with this action.

**EFFECTIVE DATE:** February 5, 2007

**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 United States Standards for Grades of Oranges and/or United States Standards for Grades of Grapefruit 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/stanfrrfv.htm>.

#### Background

AMS had identified the United States Standards for Grades of Oranges (California and Arizona) and/or United States Standards for Grades of Grapefruit (California and Arizona) for possible revisions to reflect current marketing trends. The standards were last revised in 1999. On August 25, 2006, AMS published a notice in the **Federal Register** (71 FR 50383) soliciting comments on any possible revisions to the United States Standards for Grades of Oranges (California and Arizona) and/or United States Standards for Grades of Grapefruit (California and Arizona). The comment period ended October 24, 2006.

During that sixty-day comment period, one comment was received. A California growers' association asked AMS not to proceed with any changes to the orange standards at this time because it was engaged in a consumer research project specific to grades and standards that will continue to run an additional two years. There were no comments concerning any revisions to the grapefruit standards. The comment is available by accessing AMS, Fresh Products Branch Web site at: <http://www.ams.usda.gov/fv/fpbdocketlist.htm>.

After reviewing and considering the comment received, the Agency has decided not to proceed with the action. Therefore, the notice published August 25, 2006, (71 FR 50383) is withdrawn.

**Authority:** 7 U.S.C. 1621–1627.

Dated: January 30, 2007.

**Lloyd C. Day,**

*Administrator, Agricultural Marketing Service.*

[FR Doc. E7-1759 Filed 2-2-07; 8:45 am]

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## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

[Docket # AMS-FV-2006-0203; FV-06-306]

#### United States Standards for Grades of Peppers (Other Than Sweet Peppers)

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

**ACTION:** Notice.

**SUMMARY:** The Agricultural Marketing Service (AMS) of the Department of Agriculture (USDA) is establishing voluntary United States Standards for Grades of Peppers (Other Than Sweet Peppers). The standards will provide industry with a common language and uniform basis for trading, thus promoting the orderly and efficient marketing of peppers that are not sweet peppers.

**EFFECTIVE DATE:** March 7, 2007.

#### 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 Ave., SW., Room 1661, South Building, Stop 0240, Washington, DC 20250-0240, (202) 720-2185, fax (202) 720-8871, or e-mail [Cheri.Emery@usda.gov](mailto:Cheri.Emery@usda.gov).

The United States Standards for Grades of Peppers (Other Than Sweet Peppers) are available either from the above address or by accessing the AMS, Fresh Products Branch Web site at: <http://www.ams.usda.gov/standards/stanfjfv.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 that are not requirements of 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 establishing voluntary United States Standards for Grades of Peppers (Other Than Sweet Peppers) using the procedures that appear in Part 36, Title 7 of the Code of Federal Regulations (7 CFR part 36).

#### Background

AMS published a notice in the **Federal Register** (71 FR 9514), on February 24, 2006, soliciting comments on the possible development of United States Standards for Grades of Peppers (Other Than Sweet Peppers). In response to the request for comments, AMS received two comments, one comment was from an industry group and the other from a shipper. Both comments were in support of developing the standards. The comments are available by accessing AMS, Fresh Products Branch Web site at: <http://www.ams.usda.gov/fv/fpbdoctlist.htm>.

On July 24, 2006, AMS published a second notice in the **Federal Register** (71 FR 41755-41756), soliciting comments on the proposed voluntary United States Standards for Grades of Peppers (Other Than Sweet Peppers). The proposed standards contained U.S. Fancy, U.S. No. 1, and U.S. No. 2 grades and tolerances for each grade. In addition, there were "Application of Tolerances" and "Size" sections. AMS also defined "Injury," "Damage," and "Serious Damage," along with specific basic requirements and definitions for defects, definitions for color, diameter, and length. Comments were not received in connection with the second notice.

The adoption of the U.S. grade standards will provide the pepper (other than sweet peppers) industry with U.S. grade standards similar to those extensively in use by the fresh produce industry to assist in orderly marketing of other commodities. Accordingly, AMS is adopting the United States Standards for Grades of Peppers (Other Than Sweet Peppers) as proposed in the July 24, 2006, **Federal Register** notice.

The official grades 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 (7 CFR 51.1 to 51.61).

The United States Standards for Grades of Peppers (Other Than Sweet Peppers) will become effective 30 days

after publication in the **Federal Register**.

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

Dated: January 30, 2007.

**Lloyd C. Day,**

*Administrator, Agricultural Marketing Service.*

[FR Doc. E7-1762 Filed 2-2-07; 8:45 am]

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## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

[Docket No. APHIS-2006-0195]

#### Monsanto Company; Availability of Petition and Environmental Assessment for Determination of Nonregulated Status for Soybean Genetically Engineered for Glyphosate Herbicide Tolerance

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

**ACTION:** Notice.

**SUMMARY:** We are advising the public that the Animal and Plant Health Inspection Service has received a petition from Monsanto Company seeking a determination of nonregulated status for soybean designated as MON 89788, which has been genetically engineered for tolerance to the herbicide glyphosate. The petition has been submitted in accordance with our regulations concerning the introduction of certain genetically engineered organisms and products. In accordance with those regulations, we are soliciting comments on whether this soybean presents a plant pest risk. We are also making available for public comment an environmental assessment for the proposed determination of nonregulated status.

**DATES:** We will consider all comments we receive on or before April 6, 2007.

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

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>, select "Animal and Plant Health Inspection Service" from the agency drop-down menu, then click "Submit." In the Docket ID column, select APHIS-2006-0195 to submit or view public comments and to view supporting and related materials available electronically. Information on using [Regulations.gov](http://www.regulations.gov), including instructions for accessing documents, submitting comments, and viewing the docket after the close of the comment period, is available through the site's "User Tips" link.