

Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF AGRICULTURE

Grain Inspection, Packers and Stockyards Administration

7 CFR Part 810

[Docket # GIPSA-2010-FGIS-0004]

RIN 0580-AB16

Request for Public Comment on the United States Standards for Corn

AGENCY: Grain Inspection, Packers and Stockyards Administration, USDA.

ACTION: Advance notice of proposed rulemaking.

SUMMARY: The Department of Agriculture's (USDA) Grain Inspection, Packers, and Stockyards Administration (GIPSA) is reviewing the United States Standards and grading procedures for corn under the United States Grain Standards Act (USGSA). Since the standards were last revised, the use of corn for ethanol and the number of different varieties of corn has increased tremendously. To ensure that standards and official grading practices remain relevant, GIPSA invites interested parties to comment on whether the current corn standards and grading procedures need to be changed.

DATES: Comments must be received on or before December 16, 2010.

ADDRESSES: You may submit your written or electronic comments on this notice to:

- *Mail:* Tess Butler, GIPSA, USDA, 1400 Independence Avenue, SW., Room 1643-S, Washington, DC 20250-3604.
- E-Mail comments to comments.gipsa@usda.gov.
- *Fax:* (202) 690-2173.
- *Internet:* Go to <http://www.regulations.gov> and follow the on-line instruction for submitting comments.

All comments will become a matter of public record and should be identified as "United States Standards for Corn Notice Comments," making reference to the date and page number of this issue of the **Federal Register**. Comments will

be available for public inspection at <http://www.regulations.gov> and in the above office during regular business hours (7 CFR 1.27(b)). Please call the GIPSA Management Support Staff at (202) 720-7486 to make an appointment to read comments received.

FOR FURTHER INFORMATION CONTACT: Ross Heiman at GIPSA, USDA, Beacon Facility, Stop 1404, P.O. Box 419205, Kansas City, MO 64131-6205; Telephone (816) 823-2580; Fax Number (816) 823-4644; e-mail Ross.D.Heiman@usda.gov.

SUPPLEMENTARY INFORMATION:

Executive Order 12866

This rule has been determined to be exempt for the purposes of Executive Order 12866, and therefore has not been reviewed by the Office of Management and Budget.

Under the authority of the USGSA (7 U.S.C. 76), GIPSA establishes standards for corn and other grains regarding kind, class, quality and condition. The corn standards were established by USDA effective December 1, 1916. Standards specific to corn appear in the USGSA regulations at 7 CFR 810.401-810.405 and were last revised in 1996 (60 FR 61194). The 1996 revisions changed the reporting requirements for test weight to the nearest tenth of a pound, eliminated the count limit on stones for U.S. Sample Grade, and reduced the U.S. Sample Grade Aggregate Weight Tolerance for Stones from more than 0.2 percent by weight to more than 0.1 percent by weight. Stress crack analysis was also offered as official criteria.

The standards facilitate corn marketing and define U.S. corn quality in the domestic and global marketplace. They define commonly used industry terms; contain basic principles governing the application of standards such as the type of sample used for a particular quality analysis; specify grades and grade requirements; and specify special grades and special grade requirements, such as flint corn and waxy corn. Official procedures for determining grading factors are provided in GIPSA's Grain Inspection Handbook, Book II, Chapter 4, "Corn," which also includes standardized procedures for additional quality attributes not used to determine grade, such as stress crack analysis. Together, the grading standards and procedures allow buyers and sellers to

communicate quality requirements, compare corn quality using equivalent forms of measurement, and assist in price discovery. To learn more about corn standardization and quality, visit the GIPSA Web site at <http://www.gipsa.usda.gov>.

GIPSA's grading and inspection services are provided through a network of federal, state, and private laboratories that conduct tests to determine the quality and condition of corn and other commodities. The tests used to measure grain quality are conducted in accordance with applicable standards using approved methodologies and can be applied at any point in the marketing chain. These tests yield rapid, reliable, and consistent results. In addition, GIPSA-issued certificates describing the quality and condition of graded corn are accepted as prima facie evidence in all Federal courts (7 U.S.C. 79(d)). U.S. corn standards and the affiliated grading and testing services offered by GIPSA verify that a seller's corn meets specified requirements, and ensure that customers received the quality of corn they purchased.

In order for U.S. standards and grading procedures for corn to remain relevant, GIPSA is issuing this advance notice of proposed rulemaking to invite interested parties to submit comments, ideas, and suggestions on all aspects of the U.S. corn standards and grading procedures.

Authority: 7 U.S.C. 71-87k.

J. Dudley Butler,

Administrator, Grain Inspection, Packers and Stockyards Administration.

[FR Doc. 2010-23190 Filed 9-16-10; 8:45 am]

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DEPARTMENT OF AGRICULTURE

Grain Inspection, Packers and Stockyards Administration

7 CFR Part 868

RIN 0580-AB17

[Docket # GIPSA-2010-FGIS-0009]

Request for Public Comment on the United States Standards for Rough Rice, Brown Rice for Processing, and Milled Rice

AGENCY: Grain Inspection, Packers and Stockyards Administration, USDA

ACTION: Advance notice of proposed rulemaking.

SUMMARY: The Department of Agriculture's (USDA) Grain Inspection, Packers, and Stockyards Administration (GIPSA) is reviewing the United States Standards and grading procedures for Rough Rice, Brown Rice for Processing, and Milled Rice under the Agriculture Marketing Act of 1946 (AMA). Since the standards were last revised, numerous changes have occurred in the breeding and production practices of rice; the technology used to harvest, process, and test rice; and also rice marketing. To ensure that standards and official grading practices remain relevant, GIPSA invites interested parties to comment on whether the current rice standards and grading procedures need to be changed.

DATES: Comments must be received on or before December 16, 2010.

ADDRESSES: You may submit your written or electronic comments on this notice to:

- *Mail:* Tess Butler, GIPSA, USDA, 1400 Independence Avenue, SW., Room 1643-S, Washington, DC 20250-3604.
- *E-Mail:* comments.gipsa@usda.gov.
- *Fax:* (202) 690-2173
- *Internet:* Go to <http://www.regulations.gov> and follow the on-line instruction for submitting comments.

All comments will become a matter of public record and should be identified as "United States Standards for Rough Rice, Brown Rice for Processing, and Milled Rice Notice Comments," making reference to the date and page number of this issue of the **Federal Register**. Comments will be available for public inspection in the above office during regular business hours (7 CFR 1.27(b)). Please call the GIPSA Management Support Staff at (202) 720-7486 to make an appointment to read comments received.

FOR FURTHER INFORMATION CONTACT: Beverly A. Whalen at GIPSA, USDA, Beacon Facility, Stop 1404, P.O. Box 419205, Kansas City, MO 64131-6205; Telephone: (816) 823-4648; Fax Number: (816) 823-4644; e-mail: Beverly.A.Whalen@usda.gov.

SUPPLEMENTARY INFORMATION:

Executive Order 12866

This rule has been determined to be exempt for the purposes of Executive Order 12866, and therefore has not been reviewed by the Office of Management and Budget (OMB).

Under the authority of the AMA (7 U.S.C. 1621-1627), as amended, GIPSA establishes and maintains a variety of

quality and grade standards for agricultural commodities that define commodity quality in the domestic and global marketplace. Standards developed by GIPSA under the AMA include rice, whole dry peas, split peas, feed peas, lentils, and beans. The AMA standards are voluntary and widely used in private contracts, government procurement, marketing communication, and, for some commodities, consumer information. The U.S. Standards for Rough Rice, Brown Rice for Processing, and Milled Rice standards were last revised in 1993 (58 FR 68015) and appear in the regulations at 7 CFR 868.202-868.316. The standards facilitate the marketing of rice in foreign and domestic trade, and provide a uniform measure of quality by providing a common language to describe commodity attributes for U.S. producers, exporters and their customers. Official procedures for inspections are provided in GIPSA's Rice Inspection Handbook for determining the various grading factors. To learn more about Rough Rice, Brown Rice for Processing, and Milled Rice standardization and quality, visit the GIPSA Web site at <http://www.gipsa.usda.gov>.

GIPSA inspects shipments of rice in accordance with AMA standards to establish the grade of the rice and issues inspection certificates for each shipment. GIPSA-issued certificates describing the quality and condition of graded rice are accepted as *prima facie* evidence in all Federal courts (7 U.S.C. 1622(h)). U.S. rice standards and the affiliated grading and testing services offered by GIPSA verify that a seller's rice meets specified requirements, and ensure that customers receive the quality of rice they purchased. In addition to Federal usage, the rice standards are applied by one State and one private cooperator.

In order for U.S. standards and grading procedures for Rough Rice, Brown Rice for Processing, and Milled Rice to remain relevant, GIPSA is issuing this advance notice of proposed rulemaking to invite interested parties to submit comments, ideas, and suggestions on all aspects of the U.S. rice standards and grading procedures.

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

J. Dudley Butler,

Administrator, Grain Inspection, Packers and Stockyards Administration.

[FR Doc. 2010-23188 Filed 9-16-10; 8:45 am]

BILLING CODE 3410-KD-P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

9 CFR Part 91

[Docket No. APHIS-2009-0067]

RIN 0579-AD18

Live Goats and Swine for Export; Removal of Certain Testing Requirements

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Proposed rule.

SUMMARY: We are proposing to amend the livestock exportation regulations to eliminate the requirement for pre-export tuberculosis and brucellosis testing of goats and breeding swine intended for export to countries that do not require such tests. This action would facilitate the exportation of goats and breeding swine by eliminating the need to conduct pre-export tuberculosis and brucellosis testing when the receiving country does not require such testing.

DATES: We will consider all comments that we receive on or before November 16, 2010.

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

- **Federal eRulemaking Portal:** Go to (<http://www.regulations.gov/fdmspublic/component/main?main=DocketDetail&d=APHIS-2009-0067>) to submit or view comments and to view supporting and related materials available electronically.

- **Postal Mail/Commercial Delivery:** Please send one copy of your comment to Docket No. APHIS-2009-0067, Regulatory Analysis and Development, PPD, APHIS, Station 3A-03.8, 4700 River Road Unit 118, Riverdale, MD 20737-1238. Please state that your comment refers to Docket No. APHIS-2009-0067.

Reading Room: You may read any comments that we receive on this docket in our reading room. The reading room is located in room 1141 of the USDA South Building, 14th Street and Independence Avenue, SW., Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 690-2817 before coming.

Other Information: Additional information about APHIS and its programs is available on the Internet at (<http://www.aphis.usda.gov>).

FOR FURTHER INFORMATION CONTACT: Dr. Antonio Ramirez, Senior Staff