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Latest Edition

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[Revised as of January 1, 1971]

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Chapter I—Consumer and Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 51—FRESH FRUITS, VEGETABLES AND OTHER PRODUCTS (INSPECTION, CERTIFICATION AND STANDARDS)

U.S. Standards for Grades of Potatoes¹

On page 24820 of the FEDERAL REGISTER of December 23, 1971, there was published a notice of proposed rule making to amend these grade standards by deleting the size designation "Bakers" from Table I in § 51.1545. These grade standards are issued under authority of the Agricultural Marketing Act of 1946 (60 Stat. 1087, as amended; 7 U.S.C. 1621-1627), which provides for the issuance of official U.S. grades to designate different levels of quality for the voluntary use of producers, buyers and consumers. Official grading services are also provided under this act upon request of any financially interested party and upon payment of a fee to cover the cost of such services.

Statement of considerations leading to the amendment of the grade standards. The revised U.S. Standards for Grades of Potatoes, effective September 1, 1971, provide, in Table I § 51.1545, optional size designations. The largest of these, "Bakers," has a minimum size requirement of 3 inches in diameter or 10 ounces in weight. No maximum size is specified. No comments concerning this size designation were received following publication of the proposed standards in October 1969. However, since issuance of the revised standards potato shippers registered their disapproval of the use of the term "Bakers" with such a large minimum size. It was pointed out that many shippers customarily pack potatoes smaller than 10 ounces in weight, using the term "Bakers" in some manner in labeling. The Idaho Grower Shippers Association formally requested that the size designation "Bakers" be deleted from Table I.

Interested persons were given until January 15, 1972 to submit written data, views, or arguments regarding the proposal to make the requested change. No comments have been received.

This amendment will eliminate the present conflict with industry usage of the term "Bakers" on containers. There

will be no adverse effect on growers, shippers, receivers, or consumers. Sizes larger than the "Large" designation may be specified in terms of maximum, or minimum and maximum, diameters or weights. The proposed amended Table I of § 51.1545 of the grade standards is hereby adopted without change and is set forth below.

It is hereby found that good cause exists for not postponing the effective date of this amendment beyond the date of publication hereof in the FEDERAL REGISTER, in that: (1) The 1972 packing season for potatoes is well under way and it is in the interest of the public and the industry that this amendment be placed in effect at the earliest possible date; and (2) no special preparation is required for compliance with this amendment on the part of members of the potato industry or of others.

Accordingly this amendment shall become effective upon publication in the FEDERAL REGISTER (2-5-72).

Dated: February 1, 1972.

G. R. GRANGE,
Acting Administrator.

§ 51.1545 Size.

Size designation	Inches		Ounces	
	Minimum diameter ¹	or weight	Maximum diameter ¹	or weight
Size A ²	1 3/4	(9)	2 1/4	(16)
Size B.....	1 1/4	(9)	2 1/4	(16)
Small.....	1 3/4	(9)	2 1/4	(16)
Medium.....	2 1/4	5	3 1/4	10
Large.....	3	10	4 1/4	16

¹ Diameter means the greatest dimension at right angles to the longitudinal axis, without regard to the position of the stem end.

² In addition to the minimum size specified, a lot of potatoes designated as Size A shall contain at least 40 percent of potatoes which are 2 1/4 inches in diameter or larger or 6 ounces in weight or larger.

³ No requirement.

(Secs. 203, 205, 60 Stat. 1087, as amended, 1090 as amended; 7 U.S.C. 1622, 1624)

[FR Doc.72-1733 Filed 2-4-72; 8:48 am]

PART 53—LIVESTOCK, MEATS, PREPARED MEATS, AND MEAT PRODUCTS (GRADING, CERTIFICATION, AND STANDARDS)

Subpart A—Regulations

FEES FOR GRADING SERVICE

Pursuant to the authority of sections 203 and 205 of the Agricultural Marketing Act of 1946, as amended (7 U.S.C. 1622, 1624), the provisions of 7 CFR 53.29(a) prescribing fees in connection with the performance of Federal meat grading services are hereby amended by changing the phrases "\$11.60 per hour,"

"\$13.80 per hour," and "\$23.20 per hour" to "\$12.40 per hour," "\$14.60 per hour," and "\$24.80 per hour" respectively.

The Agricultural Marketing Act of 1946 provides for the collection of fees equal as nearly as may be to the cost of the services, such as Federal meat grading services, rendered under its provisions. Public Law 92-210 and Executive Order 11637 increased salaries paid to Federal employees. Therefore, it has been determined that, in order to cover the increased cost of Federal meat grading services resulting from increases in salaries paid to Federal employees and expected increases in other costs, including the holiday billing procedures adopted October 2, 1971, the hourly fee must be increased as provided for herein.

The need for the increase and the amount thereby are dependent upon facts within the knowledge of the Consumer and Marketing Service. Therefore, under the provisions of 5 U.S.C. 553, it is found that notice and other public procedures with respect to this amendment are impractical and unnecessary and good cause is found to make the amendment effective less than 30 days after publication in the FEDERAL REGISTER.

This amendment shall become effective February 13, 1972, with respect to all Federal meat grading services rendered on and after that date, including service under commitment agreement whether heretofore or hereafter made.

(Secs. 203, 205, 60 Stat. 1087, 1090, 7 U.S.C. 1622, 1624)

Done at Washington, D.C., this 1st day of February 1972.

G. R. GRANGE,
Acting Administrator.

[FR Doc.72-1761 Filed 2-4-72; 8:50 am]

Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

PART 724—FIRE-CURED, DARK AIR-CURED, VIRGINIA SUN-CURED, CIGAR-BINDER (TYPES 51 AND 52), CIGAR-FILLER AND BINDER (TYPES 42, 43, 44, 53, 54, AND 55) TOBACCO

Subpart—Tobacco Allotment and Marketing Quota Regulations, 1972-73 and Subsequent Marketing Years

On pages 23221 and 23222 of the FEDERAL REGISTER of December 7, 1971, there was published a notice of determinations to be made with respect to regulations pertaining to farm acreage allotments

¹ Packing of the product in conformity with the requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug and Cosmetic Act or with applicable State laws and regulations.