from which weevils have emerged, leaving a clean-cut open cavity free from larvae, webbing, refuse, mold, or stain. "Clean-cut weevil-bored beans" are considered as a separate grading factor in only two classes: Blackeye and Mung beans. According to the U.S. Standards for Beans, Blackeye beans in grades U.S. Nos. 1, 2, and 3 may not contain more than 0.0, 0.2, and 0.5 percent, respectively, of "clean-cut weevil-bored beans." In all other classes, "clean-cut weevil-bored beans" are included with the grading factor "total damage" and/or "total defects."

Blackeye bean growers and shippers feel that including the factor "clean-cut weevil-bored beans" in the Blackeye bean standards should be changed because the grade requirements for Blackeye beans are more stringent than those of similar classes of beans; e.g., Yelloweye and Cranberry beans. Since Blackeye beans are predominately grown in California, these groups believe that the Blackeye bean standards should reflect the marketing concerns of that bean industry.

The Federation Nationale du Legume (FNL), a European industry group, recommended that Blackeye beans in grades U.S. Nos. 1, 2, and 3 should not contain more than 0.0, 0.1, and 0.2 percent, respectively, of "clean-cut weevil-bored beans and weevilled beans, total." FGIS appreciates FNL's concern about the quality of U.S. Blackeye beans. However, regardless of the factors or factor limits specified by the standards for a particular class of beans, buyers and sellers are free to specify different factor requirements in their contracts.

FGIS has no information that would indicate that eliminating "clean-cut weevil-bored beans" as a separate grading factor from the grade requirements for the class Blackeye beans would have a noticeable effect on the quality or appearance of Blackeye beans, or harm the United States' reputation for producing and marketing high-quality Blackeye beans. Therefore, FGIS is proposing to revise the U.S. Standards for Beans to eliminate the factor "clean-cut weevil-bored beans" as a separate grading factor in the class Blackeye beans and consider "clean-cut weevil-bored" Blackeye beans as "damaged beans," included in the grading factor "total damage."

"Total Defects," "Blistered, Wrinkled, and/or Broken Beans," and "Splits" in Baby Lima Beans

Currently, Baby Lima beans in grades U.S. Nos. 1, 2, and 3 may contain not more than 2.0, 3.0, and 5.0 percent, respectively, of "total defects" and not more than 3.0, 5.0, and 8.0 percent, respectively, of "blistered, wrinkled, and/or broken beans" or "splits." The grade limits for the factors "total defects" (which includes "splits") and "total damaged" for most other classes of beans (e.g., Great Northern, Small White, Kidney, Small Red, Pink, Black Turtle Soup, Blackeye, Cranberry, and Mung beans) is 2.0, 4.0, and 6.0 percent, for grades U.S. Nos. 1, 2, and 3, respectively.

The present limits for "total defects," "blistered, wrinkled, and/or broken beans," and "splits" in the class Baby Lima beans are inconsistent with the standards for other classes of beans. This has caused confusion among some users of the standards. To provide greater uniformity within the U.S. bean standards and to better facilitate the marketing of Baby Lima beans, FGIS is proposing to change the grade limits for these factors in the class Baby Lima beans to 2.0, 4.0, and 6.0 percent, for grades U.S. Nos. 1, 2, and 3, respectively.

## **Proposed Action**

Based on current market needs and other available information, FGIS is proposing to revise:

- 1. Section 68.134 by eliminating the grading factor "clean-cut Weevil-Bored" and by eliminating footnote 2 which states that "Beans with more than 0.5 percent clean-cut weevil-bored beans are graded U.S. Sample grade." Footnotes that are presently numbered 3 and 4 are proposed to be renumbered 2 and 3, respectively.
- 2. Section 68.140 by changing the grading limits for the factors "total defects," "blistered, wrinkled, and/or broken beans," and "splits" to 2.0, 4.0, and 6.0 percent for U.S. Nos. 1, 2, and 3, respectively.

Comments including data, views, and suggestions regarding the proposed changes to the U.S. Standards for Blackeye and Baby Lima beans are solicited from interested parties.

## List of Subjects in 7 CFR Part 68

Administrative practice and procedures, Agricultural commodities, Beans.

For reasons set forth in the preamble, 7 CFR Part 68 is proposed to be amended as follows:

## PART 68—REGULATIONS AND STANDARDS FOR INSPECTION AND CERTIFICATION OF CERTAIN AGRICULTURAL COMMODITIES AND THEIR PRODUCTS

1. The authority citation for Part 68 continues to read as follows:

**Authority:** Secs. 202–208, 60 Stat. 1087, as amended (7 U.S.C. 1621 *et seq.*).

2. Section 68.134 is revised to read as follows:

§ 68.134 Grades and grade requirements for the class Blackeye Beans.

Grade	General appearance	Percent maximum limits of—				
		Mois- ture <sup>1</sup>	Total defects (DKT, FM, CCL, & SP)	Total dam- aged	Foreign material	
					Total	Stones
U.S. No. 1	The special grade off-color may be applied after the removal of total defects.	18.0 18.0 18.0	4.0 6.0 8.0	2.0 4.0 6.0	0.5 1.0 1.5	0.2 0.4 0.6

	Percent maximum limits of—	
Grade		Classes that blend <sup>3</sup>
U.S. No. 1 U.S. No. 2	0.5 1.0	5.0 10.0