- (6) *Moisture content*. Not more than 4.5 percent. See Table III of this section.
- (7) Scorched particle content. Not more than 15.0 mg. See Table III of this section.
- (8) *Solubility index.* Not more than 1.0 ml. See Table III of this section.
- (9) *Titratable acidity*. Not more than 0.15 percent (lactic acid). See Table III of this section.
- (10) *Dispersibility.* Not less than 85.0 percent. See Table III of this section.

TABLE I.—CLASSIFICATION OF FLAVOR

Flavor characteristics	U.S. extra grade
Chalky	Slight. Slight. Slight. Slight.

TABLE II.—CLASSIFICATION OF PHYSICAL APPEARANCE

Physical appearance characteristics	U.S. extra grade
ColorFree flowingLumpy	White to light cream. Reasonably. Very slight pressure.

TABLE III.—CLASSIFICATION ACCORDING TO LABORATORY ANALYSIS

Laboratory tests	U.S. extra grade
Bacterial estimate; Standard plate count; per gram (max) Coliform count; per gram (max) Milkfat content; percent (max) Moisture content; percent (max) Scorched particle content; mg (max)	30,000 10 1.25 4.5 15.0 1.0
percent (max)	0.15 85.0

§ 58.2754 U.S. grade not assignable.

Instant nonfat dry milk shall not be assigned the U.S. grade for one or more of the following reasons:

- (a) The instant nonfat dry milk fails to meet the requirements for U.S. Extra Grade.
- (b) The instant nonfat dry milk has a direct microscopic clump (DMC) count exceeding 40 million per gram.
- (c) The instant nonfat dry milk is produced in a plant that is rated ineligible for USDA grading service or is not USDA-approved.

§58.2756 Test methods.

All required tests shall be performed in accordance with DA Instruction No. 918–RL, ''Instruction for Resident Grading Quality Control Service Programs and Laboratory Analysis," Dairy Grading Branch, Dairy Division, Agricultural Marketing Service, U.S. Department of Agriculture, Washington, DC 20090–6456; the latest revision of "Official Methods of Analysis of the Association of Official Analytical Chemists"; or the latest edition of "Standard Methods for the Examination of Dairy Products" available from the American Public Health Association, 1015 Fifteenth Street, NW., Washington, DC 20005.

Explanation of Terms

§ 58.2759 Explanation of terms.

- (a) With respect to flavor:
- (1) *Slight.* Detected only upon critical examination.
- (2) *Chalky.* A tactual type of flavor lacking in characteristic milk flavor.
- (3) *Cooked.* Similar to a custard flavor and imparts a smooth aftertaste.
- (4) Feed. Feed flavors (such as alfalfa, sweet clover, silage, or similar feed) in milk carried through into the instant nonfat dry milk.
- (5) Flat. Insipid, practically devoid of any characteristic reconstituted instant nonfat dry milk flavor.
- (b) With respect to physical appearance:
- (1) Reasonably free-flowing. Pours in a fairly constant, uniform stream from the open end of a tilted container or scoop.
- (2) Very slight pressure. Lumps fall apart with only light touch.
- (3) *Lumpy*. Loss of powdery consistency but not caked into hard chunks.
- (4) *Natural color*. A color that is white to light cream.

Dated: February 24, 1995.

Kenneth C. Clayton,

Acting Administrator.

[FR Doc. 95–5295 Filed 3–3–95; 8:45 am] BILLING CODE 3410–2–P

7 CFR Part 58

[DA-93-03]

Grading and Inspection, General Specifications for Approved Plants and Standards for Grades of Dairy Products; United States Standards for Grades of Nonfat Dry Milk (Spray Process)

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Proposed rule.

SUMMARY: This document proposes to revise the United States Standards for Grades of Nonfat Dry Milk (Spray Process). The proposed changes would

reduce existing bacterial standard plate count maximums and incorporate a coliform requirement to reflect the ability of the U.S. dairy industry to produce high-quality nonfat dry milk. The reduction in the maximum standard plate count is made possible through improved raw milk quality and enhanced processing and sanitation techniques. The inclusion of a maximum coliform count adds to the assurance that post-pasteurization contamination has not occurred. This proposal was developed in cooperation with the American Dairy Products Institute and other trade associations. **DATES:** Comments should be filed by May 5, 1995.

ADDRESSES: Comments should be sent to: Director, Dairy Division, Agricultural Marketing Service, U.S. Department of Agriculture, Room 2968–S, P.O. Box 96456, Washington, DC 20090–6456. They will be available for public inspection at the Dairy Division in Room 2750–S during regular business hours.

FOR FURTHER INFORMATION CONTACT: Roland S. Golden, Dairy Products Marketing Specialist, Dairy Standardization Branch, USDA/AMS/ Dairy Division, Room 2750–S, P.O. Box 96456, Washington, DC 20090–6456, (202) 720–7473.

SUPPLEMENTARY INFORMATION: This proposed rule has been reviewed under Executive Order 12778, Civil Justice Reform. This action is not intended to have retroactive effect. This rule would not preempt any State or local laws, regulations, or policies, unless they present an irreconcilable conflict with this rule. There are no administrative procedures which must be exhausted prior to any judicial challenge to the provisions of this rule.

The proposed rule also has been reviewed in accordance with the Regulatory Flexibility Act, 5 U.S.C. 601 et seq. The Administrator, Agricultural Marketing Service, has determined that the proposed rule, if promulgated, would not have a significant economic impact on a substantial number of small entities because use of the standards is voluntary and the revisions would not increase costs to those utilizing the standards.

The Department is issuing this rule in conformance with Executive Order 12866.

To provide quality grade standards that reflect the ability of the U.S. dairy industry to produce high-quality nonfat dry milk, USDA is proposing the following changes in the U.S. Standards for Grades of Nonfat Dry Milk (Spray Process).