

USDA

Food and Nutrition Service—Completed Actions(Continued)

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Food Safety and Inspection Service—Proposed Rule Stage

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Food Safety and Inspection Service—Completed Actions

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Foreign Agricultural Service—Long-Term Actions

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Foreign Agricultural Service—Completed Actions

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275	National Forest System Land and Resource Management Planning	0596-AB20
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USDA—FNS

Completed Actions

Timetable:

Action	Date	FR Cite
Final Action	01/21/00	65 FR 3409

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Local

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DEPARTMENT OF AGRICULTURE (USDA)

Prerule Stage

Food Safety and Inspection Service (FSIS)

237. OTHER CONSUMER PROTECTION ACTIVITIES

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 21 USC 601 and 451 et seq

CFR Citation: 9 CFR 317; 9 CFR 318; 9 CFR 319; 9 CFR 381

Legal Deadline: None

Abstract: The Food Safety and Inspection Service (FSIS) is publishing

this advance notice of proposed rulemaking to request comments on the need and desirability of revising its approach to verifying that meat and poultry products are not misbranded, economically adulterated, or otherwise unacceptable for reasons that do not necessarily raise food safety concerns. FSIS will refer to these program activities as "other consumer protection" (OCP) activities. This notice defines and describes FSIS' OCP activities and discusses the Agency's need for revised regulations and verification and enforcement procedures.

Timetable:

Action	Date	FR Cite
ANPRM	03/17/00	65 FR 14486
ANPRM Comment Period End	06/15/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250
Phone: 202 720-5276

RIN: 0583-AC64

DEPARTMENT OF AGRICULTURE (USDA)

Proposed Rule Stage

Food Safety and Inspection Service (FSIS)

238. TRANSPORTATION, STORAGE, AND OTHER HANDLING OF POTENTIALLY HAZARDOUS FOODS

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 21 USC 601 to 695; 21 USC 451 to 470

CFR Citation: 9 CFR 308; 9 CFR 317; 9 CFR 325; 9 CFR 381

Legal Deadline: None

Abstract: The Food Safety and Inspection Service (FSIS), in conjunction with the Food and Drug Administration (FDA), published an advance notice of proposed rulemaking (ANPRM) that addressed possible regulatory approaches to the transportation and storage of potentially hazardous foods (including meat and poultry products) and solicited comments and information from the public. FSIS and FDA have been considering various efforts to ensure that potentially hazardous foods outside of food processing

establishments will be handled in a way that will minimize the growth of pathogenic organisms or other hazards. FSIS now anticipates rulemaking under the Federal Meat Inspection Act and the Poultry Products Inspection Act on proposed handling standards and information to assure that the public is informed of the manner of handling required to maintain these products in a wholesome condition.

Timetable:

Action	Date	FR Cite
ANPRM	11/22/96	61 FR 59372
ANPRM Comment Period End	02/20/97	
NPRM	12/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

Agency Contact: Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of

Agriculture, Food Safety and Inspection Service, Washington, DC 20250
Phone: 202 720-5276

RIN: 0583-AC05

239. GRANT AND INAUGURATION OF INSPECTION

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 21 USC 601 et seq

CFR Citation: 9 CFR 304; 9 CFR 305

Legal Deadline: None

Abstract: FSIS is proposing to streamline and clarify the regulations in 9 CFR parts 304 and 305, which provide for grant and inauguration of

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Proposed Rule Stage

inspection in meat and poultry establishments.

Under the current regulations, prior to commercial operation, establishments must apply for grant of inspection by submitting for FSIS review and approval establishment floor plans and blueprints, equipment specifications, and other information. If FSIS approves this information and grants inspection, a circuit supervisor visits the establishment to inform the operator of the applicable regulations. Subsequently, FSIS inspection is inaugurated and the establishment may begin manufacturing product for commercial distribution.

FSIS is proposing to streamline and clarify these requirements in light of (1) new section 304.3, under which compliance with requirements in the Agency's regulations on sanitation standard operating procedures and hazard analysis and critical control point systems (parts 416 and 417) are conditions for receiving inspection, and (2) eliminate the requirement that floor plans, blueprints, and equipment specifications be preapproved by FSIS before inspection is granted.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250
Phone: 202 720-5276

RIN: 0583-AC07

240. PERFORMANCE STANDARD FOR THE CHILLING OR OTHER PROCESSING OF LIVESTOCK CARCASSES AND READY-TO-COOK POULTRY

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 21 USC 451 et seq; 21 USC 601 et seq

CFR Citation: 9 CFR 381

Legal Deadline: None

Abstract: FSIS is proposing to replace the regulations governing the chilling of poultry, including the specific time/temperature requirements, with a performance standard that both livestock and poultry slaughtering establishments would have to meet. The establishments would have to ensure that the chilling or other processing of livestock or poultry carcasses from which the hide, hair, or feathers have been removed ensures that bacterial populations on the carcasses are reduced or remain in the lag (or adjustment) phase of growth. Slaughtering establishments would be required to have data or information verifying that their procedures meet the standard. Verification data could be the results of microbiological tests or predictive mathematical modeling. This proposal is intended to provide the regulated industry with the flexibility it needs to design and implement innovative processes and control systems and improve consistency in the regulatory treatment of meat and poultry products. It is also consistent with FSIS's Pathogen Reduction/Hazard Analysis Critical Control Point Systems (HACCP) regulations.

Timetable:

Action	Date	FR Cite
NPRM	11/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250
Phone: 202 720-5276

RIN: 0583-AC21

241. PERFORMANCE STANDARDS FOR READY-TO-EAT MEAT AND POULTRY PRODUCTS

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 21 USC 451 et seq; 21 USC 601 et seq

CFR Citation: 9 CFR 317; 9 CFR 381; 9 CFR 430

Legal Deadline: None

Abstract: FSIS is proposing to establish pathogen reduction performance standards for all ready-to-eat meat and poultry products. The performance standards spell out the objective level of pathogen reduction that establishments must meet during their operations in order to produce safe products but allow the use of customized, plant-specific processing procedures other than those prescribed in the earlier regulations. Along with HACCP, food safety performance standards will give establishments the incentive and flexibility to adopt innovative, science-based food safety processing procedures and controls, while providing objective, measurable standards that can be verified by Agency inspectional oversight. This set of performance standards will include and be consistent with those already in place for certain ready-to-eat meat and poultry products.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250
Phone: 202 720-5276

RIN: 0583-AC46

242. PERFORMANCE STANDARDS FOR BACON

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: 21 USC 601 et seq

CFR Citation: 9 CFR 318.7(b)

Legal Deadline: None

Abstract: FSIS is proposing to revise the regulatory provisions concerning the production and testing of bacon (9 CFR 318.7(b)). FSIS is proposing to remove provisions that require the Agency to test bacon for nitrosamines

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and to remove provisions that prescribe the substances and amounts of such substances that must be used to produce bacon. FSIS is proposing to replace these provisions with performance standards that establishments producing bacon must meet. To meet these proposed performance standards, the process used would be required to prevent the multiplication of *Clostridium botulinum* and limit the multiplication of *Clostridium perfringens*. In addition, the process would be required to limit the presence of nitrosamines when the product is cooked. Under the hazard analysis and critical control points (HACCP) system, establishments would incorporate the proposed performance standards into their HACCP plans.

FSIS is proposing these regulations in order to allow establishments to develop alternative means of producing bacon. In addition, FSIS is proposing these regulations to remove the Agency's testing responsibilities and to require establishments producing bacon, instead, to control and monitor their own processes.

Timetable:

Action	Date	FR Cite
NPRM	09/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250
Phone: 202 720-5276

RIN: 0583-AC49

243. REFORM OF REGULATIONS ON IMPORTED LIVESTOCK AND POULTRY PRODUCTS

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: 21 USC 451 et seq; 21 USC 601 et seq

CFR Citation: 9 CFR 327; 9 CFR 381

Legal Deadline: None

Abstract: As part of its continuing regulatory reform effort, FSIS is proposing to consolidate and streamline

the regulations governing the importation of livestock and poultry products to make them consistent with the regulatory approach the Agency has taken in its Pathogen Reduction/Hazard Analysis and Critical Control Points (PR/HACCP) regulations and related rulemakings. FSIS is proposing to eliminate obsolete provisions and, where appropriate, to replace command-and-control provisions with performance standards. The Agency is proposing to require establishments where import inspection is conducted to have documented process controls that parallel in some respects the HACCP and other documented systems that establishments where inspection of domestic products is conducted must have. The rulemaking stems from the Agency's commitment to its regulatory reform, reinventing government, effort to eliminate duplication and inconsistency in the regulations, and especially to make the regulations PR/HACCP consistent.

Timetable:

Action	Date	FR Cite
NPRM	11/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250
Phone: 202 720-5276

RIN: 0583-AC56

244. AGENCY ORGANIZATION AND TERMINOLOGY

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 21 USC 451-470; 21 USC 601-695; 21 USC 1031-1056

CFR Citation: 9 CFR 300; 9 CFR 301; 9 CFR 306; 9 CFR 311; 9 CFR 320; 9 CFR 327; 9 CFR 381; 9 CFR 590; ...

Legal Deadline: None

Abstract: This rulemaking will amend FSIS's regulations by consolidating and

updating organizational provisions and definitions of various terms that, until now, have been addressed separately in regulations adopted under the Federal Meat Inspection Act, the Poultry Products Inspection Act, and, in some instances, the Egg Products Inspection Act. The rulemaking will complete a task that the Agency began in a December 31, 1998, final rule that added information on FSIS's current responsibilities and organizational structure to the Agency's regulations and reflected the current allocation of responsibilities within the Department by redesignating regulations adopted under the EPIA and transferring them to FSIS's regulations (from those of the Agricultural Marketing Service).

Timetable:

Action	Date	FR Cite
NPRM	04/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250
Phone: 202 720-5276

RIN: 0583-AC57

245. EGG PRODUCTS INSPECTION REGULATIONS

Priority: Economically Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 21 U.S.C. 1031-1056

CFR Citation: 9 CFR 590.570; 9 CFR 590.575; 9 CFR 590.146; 9 CFR 590.10; 9 CFR 590.411; 9 CFR 590.502; 9 CFR 590.504; 9 CFR 590.580; 9 CFR 591; ...

Legal Deadline: None

Abstract: The Food Safety and Inspection Service (FSIS) is proposing to require egg products plants to develop and implement Hazard Analysis and Critical Control Points

(HACCP) systems and Sanitation Standard Operating Procedures (SOPs). FSIS also is proposing pathogen reduction performance standards that would be applicable to pasteurized egg products. Plants would be expected to develop HACCP systems that ensure processed egg products meet the pathogen reduction performance standards. Finally, FSIS is proposing to amend the Federal shell egg and egg products inspection regulations by removing current requirements for prior approval by FSIS of egg products plant drawings, specifications, and equipment prior to their use in official plants. The Agency also plans to eliminate the prior label approval system for egg products, as well as require safe handling labels on shell eggs and egg products.

The actions being proposed are part of FSIS's regulatory reform effort to improve FSIS's shell egg and egg products food safety regulations, better define the roles of Government and the regulated industry, encourage innovations that will improve food safety, remove unnecessary regulatory burdens on inspected egg products plants, and make the shell egg and egg products regulations as consistent as possible with the Agency's livestock and poultry products regulations. FSIS is also taking these actions in light of changing inspection priorities and recent findings of salmonella in pasteurized egg products.

Timetable:

Action	Date	FR Cite
NPRM	11/00/00	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: None

Agency Contact: Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250
Phone: 202 720-5276

RIN: 0583-AC58

246. LABELING—GENERIC APPROVAL AND REGULATION CONSOLIDATION

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing

Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 21 USC 451-470; 21 USC 601-695

CFR Citation: 9 CFR 317; 9 CFR 327; 9 CFR 381; 9 CFR 412

Legal Deadline: None

Abstract: This rulemaking will continue an effort initiated several years ago by amending FSIS's regulations to expand the types of labeling that are generically approved. FSIS plans to propose that the submission of labeling for approval prior to use be limited to certain types of labeling, as specified in the regulations. In addition, FSIS plans to reorganize and amend the regulations by consolidating labeling rules that currently are stated separately for livestock products and poultry products (in part 317, subpart A, and part 381, subpart N, respectively) and by amending their provisions to set out clearly various circumstances under which these products are misbranded.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Agency Contact: Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250
Phone: 202 720-5276

RIN: 0583-AC59

247. NUTRITION LABELING OF GROUND AND CHOPPED MEAT AND POULTRY PRODUCTS AND SINGLE-INGREDIENT PRODUCTS

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: 21 USC 601 et seq; 21 USC 451 et seq

CFR Citation: 9 CFR 317; 9 CFR 381

Legal Deadline: None

Abstract: FSIS is proposing to amend the Federal meat and poultry products inspection regulations to require nutrition labeling of the major cuts of single-ingredient, raw meat and poultry

products. The Agency is proposing to require that nutrition information be provided for these products either on their label or at their point-of-purchase. FSIS is proposing to require nutrition labeling of the major cuts of single-ingredient, raw meat and poultry products because during the most recent surveys of retailers, the Agency did not find significant participation in the voluntary nutrition labeling program for single-ingredient, raw meat and poultry products.

In this proposed rule, FSIS is also proposing to amend its regulations to extend mandatory labeling to single-ingredient ground or chopped products. Under this proposal, individual retail packages of ground or chopped meat and ground or chopped poultry products would bear nutrition labeling. The Agency has determined that ground or chopped products are different from other single-ingredient products in several important respects. Thus, FSIS is proposing to make nutrition labeling requirements for ground or chopped products consistent with those for multi-ingredient products.

Finally, FSIS is proposing to amend the nutrition labeling regulations to provide that when a ground or chopped product does not meet the criteria to be labeled "low fat," a lean percentage claim may be included on the product label as long as a statement of the fat percentage also is displayed on the label.

Timetable:

Action	Date	FR Cite
NPRM	07/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250
Phone: 202 720-5276

RIN: 0583-AC60

USDA—FSIS

Proposed Rule Stage

248. PATHOGEN REDUCTION; HAZARD ANALYSIS AND CRITICAL CONTROL POINTS (HACCP) SYSTEMS; ADDITIONS TO E. COLI CRITERIA AND SALMONELLA PERFORMANCE STANDARDS**Priority:** Other Significant**Legal Authority:** 21 USC 601 to 695; 21 USC 451 to 470**CFR Citation:** 9 CFR 310; 9 CFR 381**Legal Deadline:** None**Abstract:** FSIS is proposing to add generic E. coli criteria and salmonella performance standards to the regulations. In addition, FSIS is proposing to revise the terms used to identify and define certain classes of product listed in the salmonella tables.**Timetable:**

Action	Date	FR Cite
NPRM	08/00/00	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250
Phone: 202 720-5276**RIN:** 0583-AC63**249. ELIMINATION OF REQUIREMENTS FOR TOTAL QUALITY CONTROL SYSTEMS****Priority:** Other Significant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 7 USC 394 et seq; 21 USC 451 et seq; 21 USC 601 et seq**CFR Citation:** 9 CFR 317; 9 CFR 318; 9 CFR 381**Legal Deadline:** None**Abstract:** This proposed rule would amend the meat and poultry inspection regulations by removing all requirements relating to total quality control (TQC) systems. A TQC system is a comprehensive, planned documented system of activities intended to ensure the stability of processes and the uniformity of products throughout a manufacturing

plant. The proposal would remove the design requirements for TQC systems and the requirements for FSIS prior approval, or approval before implementation, of such systems. The proposal also would amend the regulations governing the operating schedules of official establishments to remove the provisions concerning establishments with approved TQC systems.

Timetable:

Action	Date	FR Cite
NPRM	11/00/00	
NPRM Comment Period End	01/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** State**Agency Contact:** Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250
Phone: 202 720-5276**RIN:** 0583-AC68**250. INCORPORATION OF FOOD AND COLOR ADDITIVES INTO 21 CFR****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 21 USC 602 et seq; 21 USC 451 et seq; 21 USC 321 et seq**CFR Citation:** 9 CFR 318.7; 9 CFR 381.147**Legal Deadline:** None**Abstract:** This proposed rule will amend the meat and poultry inspection regulations by completing earlier efforts to incorporate current listings in 9 CFR into 21 CFR.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Daniel L. Engeljohn, Director, Regulations Development andAnalysis Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250
Phone: 202 720-5276Robert Post, Director, Department of Agriculture, Food Safety and Inspection Service, Labeling and Additives Policy Division, Washington, DC 20250
Phone: 202 205-0279**RIN:** 0583-AC69**251. TRANSFER AND DEVELOPMENT OF SHELL EGG REQUIREMENTS****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 21 USC 1031 et seq**CFR Citation:** Not Yet Determined**Legal Deadline:** None**Abstract:** This docket will announce the new delegation and transfer of shell egg requirements from AMS to FSIS, as well as the development of any new and necessary shell egg requirements.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/00	

Regulatory Flexibility Analysis**Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None**Agency Contact:** Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250
Phone: 202 720-5276**RIN:** 0583-AC70**252. FEE INCREASE FOR EGG PRODUCTS INSPECTION—YEAR 2000****Priority:** Substantive, Nonsignificant**Legal Authority:** 21 USC 1031-1056**CFR Citation:** 9 CFR 590.126; 9 CFR 590.128(a); 9 CFR 590.130**Legal Deadline:** None**Abstract:** The Food Safety and Inspection Service (FSIS) is proposing to increase the fees FSIS charges egg products plants for providing overtime

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and holiday inspection services. These proposed fee increases reflect the total cost of inspection, including the national and locality pay raise for Federal employees, applicable overhead costs, and other inspection costs. FSIS is proposing to make the fee increases effective 30 days after the final rule is published. The Agency is also proposing to amend 9 CFR 590.130 to delete the reference to regulations governing the voluntary inspection and grading of egg products.

Timetable:

Action	Date	FR Cite
NPRM	04/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250
Phone: 202 720-5276

Michael B. Zimmerer, Director, Financial Management Division, Department of Agriculture, Food Safety and Inspection Service

Phone: 202 720-3367

RIN: 0583-AC71

253. FOOD STANDARDS; GUIDING PRINCIPLES AND STANDARDS MODERNIZATION

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 21 USC 601 et seq; 21 USC 451 et seq

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: The Food Safety and Inspection Service (FSIS) and the Food and Drug Administration (FDA) are proposing to modernize their food standards. The Agencies are proposing that the standards be reviewed and revised by outside parties and submitted to the Agencies via the petition process. The Agencies are proposing a set of guiding principles that interested parties outside the Agencies would use to establish, revise, or eliminate a food standard. The Agencies are proposing that petitions to establish standards or to revise or

eliminate existing standards adhere to these guiding principles. If the guiding principles are adopted in the regulations, the Agencies will encourage petitioners to submit revised food standards that follow the guiding principles and will review petitions submitted to ensure that they adhere to the guiding principles. If a petition does adhere to the guiding principles, the Agencies will publish proposed rules to establish, revise, or eliminate standards based on the petition.

Timetable:

Action	Date	FR Cite
NPRM	09/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

Agency Contact: Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250
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RIN: 0583-AC72

DEPARTMENT OF AGRICULTURE (USDA)

Final Rule Stage

Food Safety and Inspection Service (FSIS)

254. BEEF OR PORK WITH BARBECUE SAUCE; REVISION OF STANDARDS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 21 USC 601 et seq

CFR Citation: 9 CFR 319

Legal Deadline: None

Abstract: The Food Safety and Inspection Service (FSIS) has been petitioned to amend the Federal meat inspection regulations by removing a meat yield requirement for the standardized products "Beef With Barbecue Sauce" and "Pork With Barbecue Sauce." Current regulations for these products require that the

product contain not less than 50 percent of the species identified on the label and that the weight of the cooked pork or beef not exceed 70 percent of the uncooked weight of the meat. The first requirement is consistent with other meat and sauce requirements, but the second requirement is not. The petitioner asserts that the product standard (promulgated in 1952) does not reflect current production practices or the commercial marketability of beef or pork with barbecue sauce. The petitioner further states that producers of these products are at a competitive disadvantage with other meat and sauce producers, because other meat and sauce producers do not have a 70 percent yield requirement. For example, producers of the standardized products "Beef with Gravy," "Meat Pies," and "Spaghetti with Meat and Sauce" and similar standardized

products do not have any meat yield requirements.

FSIS has determined that the petitioner's request should be granted. This action would permit fair competition between meat and barbecue sauce producers, and poultry and sauce producers, and would provide consistent requirements in both the meat and poultry inspection regulations.

Timetable:

Action	Date	FR Cite
NPRM	09/03/97	62 FR 46450
NPRM Comment Period End	11/03/97	
Final Action	09/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

USDA—FSIS

Final Rule Stage

Agency Contact: Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250
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RIN: 0583-AC09

255. ELIMINATION OF REQUIREMENTS FOR PARTIAL QUALITY CONTROL PROGRAMS

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: 21 USC 451 et seq; 21 USC 601 et seq

CFR Citation: 9 CFR 317; 9 CFR 318; 9 CFR 319; 9 CFR 381

Legal Deadline: None

Abstract: FSIS is developing a final rule that would amend the meat and poultry inspection regulations by removing most requirements pertaining to partial quality control (PQC) programs. A PQC program controls a single product, operation, or part of an operation in a meat or poultry establishment. The final rule is intended to remove the design requirements affecting most PQC programs that establishments have and most requirements for establishments to have PQC programs for certain products or processes. The final rule also is intended to remove from the thermal processing regulations the requirements for FSIS prior approval, or approval before use, of systems and devices not specified in the regulations and all requirements concerning PQC

programs. The final rule will make alternatives available to establishments under the thermal processing regulations for ensuring the safety of their products. The final rule is intended to allow establishments under inspection additional flexibility, consistent with the Pathogen Reduction/Hazard Analysis and Critical Control Points (HACCP) regulations, to adopt new technologies and methods that will improve food safety and other consumer protections.

Timetable:

Action	Date	FR Cite
NPRM	05/18/99	64 FR 26892
NPRM Comment Period End	07/19/99	
Final Rule	04/00/00	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: Federal, State

Agency Contact: Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250
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RIN: 0583-AC35

256. MEAT PRODUCED BY ADVANCED MEAT/BONE SEPARATION MACHINERY AND RECOVERY SYSTEMS

Priority: Substantive, Nonsignificant

Legal Authority: 21 USC 601 to 695

CFR Citation: 9 CFR 301.2; 9 CFR 318.24 (Revision); 9 CFR 320.1(b)(10)

Legal Deadline: None

Abstract: In 1994, the Food Safety and Inspection Service amended its regulations to recognize that product resulting from advanced meat/bone separation machinery comes within the definition of meat when recovery systems are operated to assure that the characteristics and composition of the resulting product are consistent with those of meat. Subsequent compliance problems and other concerns have made it apparent that the regulations are confusing and inadequate to prevent misbranding and economic adulteration. Therefore, FSIS is developing a rule to clarify the regulations and supplement the rules for assuring compliance. The Agency is reviewing information obtained since publication of the proposal and further rulemaking on the noncompliance criterion for bone marrow.

Timetable:

Action	Date	FR Cite
NPRM	04/13/98	63 FR 17959
NPRM Comment Period End	06/12/98	
Final Action	04/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 0583-AC51

DEPARTMENT OF AGRICULTURE (USDA)

Long-Term Actions

Food Safety and Inspection Service (FSIS)

257. RETAINED WATER IN RAW MEAT AND POULTRY PRODUCTS; POULTRY-CHILLING PERFORMANCE STANDARDS

Priority: Economically Significant. Major under 5 USC 801.

CFR Citation: 9 CFR 317; 9 CFR 381; 9 CFR 440

Timetable:

Action	Date	FR Cite
NPRM	09/11/98	63 FR 48961

Action	Date	FR Cite
NPRM Comment Period End	12/10/98	
Next Action	Undetermined	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Daniel L. Engeljohn
Phone: 202 720-5276

RIN: 0583-AC26

258. ANTE-MORTEM AND POST-MORTEM INSPECTION OF LIVESTOCK AND POULTRY

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

CFR Citation: 9 CFR 309; 9 CFR 310; 9 CFR 381

Timetable:

Action	Date	FR Cite
NPRM	11/00/01	

USDA—FSIS

Long-Term Actions

Regulatory Flexibility Analysis**Required:** Yes**Government Levels Affected:** State**Agency Contact:** Daniel L. Engeljohn
Phone: 202 720-5276**RIN:** 0583-AC43**259. REQUIREMENTS FOR DISPOSITION AND DISPOSAL OF INSPECTED RAW MEAT AND POULTRY PRODUCTS****Priority:** Other Significant. Major status under 5 USC 801 is undetermined.**CFR Citation:** 9 CFR 311; 9 CFR 314; 9 CFR 320; 9 CFR 325; 9 CFR 381; 9 CFR 428; 9 CFR 455**Timetable:**

Action	Date	FR Cite
NPRM	11/00/01	

Regulatory Flexibility Analysis**Required:** Yes**Government Levels Affected:** State**Agency Contact:** Daniel L. Engeljohn
Phone: 202 720-5276**RIN:** 0583-AC44**260. REWORKING OF MEAT AND POULTRY CARCASSES ACCIDENTALLY CONTAMINATED DURING EVISCERATION****Priority:** Other Significant**CFR Citation:** 9 CFR 310; 9 CFR 381; 9 CFR 433**Timetable:**

Action	Date	FR Cite
NPRM	11/00/01	
NPRM Comment	02/00/02	
Period End		

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Daniel L. Engeljohn

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RIN: 0583-AC53**261. FOOD LABELING; NUTRIENT CONTENT CLAIMS, DEFINITION OF THE TERM HEALTHY****Priority:** Substantive, Nonsignificant**CFR Citation:** 9 CFR 371; 9 CFR 381**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/28/99	64 FR 72490
Next Action	Undetermined	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Daniel L. Engeljohn

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RIN: 0583-AC65

DEPARTMENT OF AGRICULTURE (USDA)

Completed Actions

Food Safety and Inspection Service (FSIS)

262. SUBSTANCES APPROVED FOR USE IN THE PREPARATION OF MEAT AND POULTRY PRODUCTS**Priority:** Other Significant**CFR Citation:** 9 CFR 318; 9 CFR 381**Completed:**

Reason	Date	FR Cite
Final Action	12/23/99	64 FR 72167

Regulatory Flexibility Analysis**Required:** Yes**Government Levels Affected:** None**Agency Contact:** Daniel L. Engeljohn

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RIN: 0583-AB02**Government Levels Affected:** None**Agency Contact:** Daniel L. Engeljohn
Phone: 202 720-5276**RIN:** 0583-AB74**264. RULES OF PRACTICE****Priority:** Substantive, Nonsignificant**CFR Citation:** 9 CFR 304; 9 CFR 305; 9 CFR 306; 9 CFR 327; 9 CFR 335; 9 CFR 381; 9 CFR 500**Completed:**

Reason	Date	FR Cite
Final Action	11/29/99	64 FR 66541

Regulatory Flexibility Analysis**Required:** Yes**Government Levels Affected:** None**Agency Contact:** Daniel L. Engeljohn

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RIN: 0583-AC34**Completed:**

Reason	Date	FR Cite
Final Action	12/23/99	64 FR 72150

Regulatory Flexibility Analysis**Required:** Yes**Government Levels Affected:** None**Agency Contact:** Daniel L. Engeljohn

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RIN: 0583-AC50**266. LABELING OF FOOD UNDER THE VOLUNTARY NUTRITION LABELING PROGRAM; 1996 RETAIL SURVEY COMPLIANCE RESULTS****Priority:** Other Significant**CFR Citation:** 9 CFR 317; 9 CFR 381**Completed:**

Reason	Date	FR Cite
Merged With 0583-AC60	10/15/99	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Daniel L. Engeljohn

Phone: 202 720-5276

RIN: 0583-AC55**263. NUTRITION LABELING OF GROUND BEEF AND HAMBURGER****Priority:** Other Significant**CFR Citation:** 9 CFR 317; 9 CFR 381**Completed:**

Reason	Date	FR Cite
Merged With 0583-AC60	10/15/99	

Regulatory Flexibility Analysis**Required:** Yes**265. IRRADIATION OF MEAT AND MEAT PRODUCTS****Priority:** Economically Significant. Major under 5 USC 801.**CFR Citation:** 9 CFR 317; 9 CFR 318; 9 CFR 381

USDA—FSIS

Completed Actions

267. FOOD ADDITIVES FOR USE IN MEAT AND POULTRY PRODUCTS: SODIUM DIACETATE, SODIUM ACETATE, SODIUM LACTATE, AND POTASSIUM LACTATE**Priority:** Substantive, Nonsignificant**Legal Authority:** 21 USC 601 and 451 eq seq.**CFR Citation:** 9 CFR 424**Legal Deadline:** None

Abstract: The Food Safety and Inspection Service (FSIS) is amending the Federal meat and poultry products inspection regulations to increase permissible levels of sodium acetate as a flavor enhancer in meat and poultry products and of sodium diacetate as a flavor enhancer and as an inhibitor of the growth of certain pathogens. FSIS is also permitting the use of sodium lactate and potassium lactate in meat and poultry products, except for infant formulas and infant food, for purposes of inhibiting the growth of certain pathogens. FSIS is proceeding with this direct final rule in response to petitions submitted by Armour Swift-Ekrich and Purac America, Inc.

Timetable:

Action	Date	FR Cite
Final Action	01/20/00	65 FR 3121
Final Action Effective	03/20/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

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RIN: 0583-AC66**268. FEE INCREASE FOR MEAT AND POULTRY INSPECTION SERVICES****Priority:** Substantive, Nonsignificant**Legal Authority:** None**CFR Citation:** 9 CFR 391**Legal Deadline:** None

Abstract: FSIS is increasing the fees that it charges meat and poultry

establishments, importers, and exporters for providing voluntary inspection services, overtime and holiday inspection services, identification services, certification services, and laboratory services. The fee increases will be effective 1/1/00.

Timetable:

Action	Date	FR Cite
NPRM	11/10/99	64 FR 61223
NPRM Comment Period End	12/10/99	
Final Action	12/28/99	64 FR 72492

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250

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RIN: 0583-AC67**BILLING CODE 3410-DM-F**

DEPARTMENT OF AGRICULTURE (USDA)

Proposed Rule Stage

Foreign Agricultural Service (FAS)

269. EXPORT SALES REPORTING REQUIREMENT**Priority:** Other Significant**Legal Authority:** 7 USC 5712**CFR Citation:** 7 CFR 20**Legal Deadline:** None

Abstract: Consideration of a proposal to add meat and meat products to the list of commodities for which advanced notice of export is reported, and a streamlined electronic reporting system as the means to accomplish that reporting. A proposed rule will solicit public comments.

Timetable:

Action	Date	FR Cite
ANPRM	11/14/96	61 FR 58343
ANPRM Comment Period End	01/13/97	
NPRM	03/03/00	65 FR 11483
NPRM Comment Period End	05/03/00	
Final Action	10/00/00	

Regulatory Flexibility Analysis**Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None

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RIN: 0551-AA51

DEPARTMENT OF AGRICULTURE (USDA)

Long-Term Actions

Foreign Agricultural Service (FAS)

270. CCC SUPPLIER CREDIT GUARANTEE PROGRAM**Priority:** Economically Significant**CFR Citation:** 7 CFR 1493**Timetable:**

Action	Date	FR Cite
NPRM	07/19/95	60 FR 37025
NPRM Comment Period End	09/18/95	

Interim Final Rule 07/01/96 61 FR 33825

Final Action To Be Determined

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None