

USDA

Food and Nutrition Service—Final Rule Stage (Continued)

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Food Safety and Inspection Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
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Food Safety and Inspection Service—Final Rule Stage

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Food Safety and Inspection Service—Completed Actions

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219	Food Labeling; Nutrient Content Claims, Definition of the Term “Healthy”	0583-AD19
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Foreign Agricultural Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
221	Quality Samples Program	0551-AA68

Foreign Agricultural Service—Final Rule Stage

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Forest Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
223	Indian Allotments on National Forest System Lands	0596-AA52
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226	Law Enforcement Support Activities	0596-AB61
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229	Locatable Minerals	0596-AB98
230	Predator Damage Management (Proposed Directive, Forest Service Manual, Chapter 2320)	0596-AC22
231	Recreation Event Fees (Proposed Directive, Forest Service Manual, Chapter 2720)	0596-AC24
232	Outfitter and Guide Special Use Authorizations (Proposed Directives, Forest Service Handbook 2709.11, Chapters 30 and 40)	0596-AC25
233	Secretary Determination That Domestic Species of Unprocessed Timber Are Surplus to Domestic Needs Within the Zone of Southern California	0596-AC27
234	Notice, Comment, and Appeal Procedures for National Forest System Projects and Activities	0596-AC28
235	Clarifying Prohibitions Against Damage to the National Forest by Escaped Fires	0596-AC30
236	Revisions to General Prohibitions Regarding Livestock and Wild Free-Roaming Horses and Burros on National Forest System Lands	0596-AC31
237	National Environmental Policy Act (NEPA) Documentation for Sporicide Use on National Forest System Lands (Proposed Directive, Forest Service Handbook 1909.15, Chapter 30)	0596-AC32
238	Piscicide Applications on National Forest System Lands	0596-AC33
239	Clarification for the Appropriate Use of a Criminal or a Civil Citation To Enforce Mineral Regulations	0596-AC38
240	Travel Management (Proposed Directives, Forest Service Manual 2300 and 7700)	0596-AC39
241	Native Plant Materials Policy (Proposed Directive, Forest Service Manual 2070)	0596-AC44
242	Small Business Administration Timber Sale Set-Aside Program	0596-AC46

Forest Service—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
243	Sale and Disposal of National Forest Timber; Cancellation of Timber Sale Contracts	0596-AB21

USDA—FNS

Completed Actions

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Local, State

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RIN: 0584-AD50

193. IMPLEMENTING PROVISIONS FROM THE CHILD NUTRITION AND WIC REAUTHORIZATION ACT OF 2004: INCREASING THE MAXIMUM AGE FOR CHILDREN IN HOMELESS SHELTERS THAT PARTICIPATE IN THE CACFP

Priority: Substantive, Nonsignificant**CFR Citation:** 7 CFR 226**Completed:**

Reason	Date	FR Cite
Interim Final Rule	01/03/06	71 FR 1

Reason**Date****FR Cite**

Interim Final Rule Effective

02/02/06

Interim Final Rule Comment Period End

03/06/06

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Local, State

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RIN: 0584-AD56

194. NATIONAL SCHOOL LUNCH PROGRAM: MARKETING AND SALES OF FLUID MILK PRODUCTS IN SCHOOLS

Priority: Substantive, Nonsignificant**CFR Citation:** 7 CFR 210**Completed:****Reason****Date****FR Cite**

Interim Final Rule

11/21/05

70 FR 70031

Interim Final Rule Effective

12/21/05

Interim Final Rule Comment Period End

05/22/06

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Local, State

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RIN: 0584-AD57**BILLING CODE** 3410-30-S

Department of Agriculture (USDA)

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Food Safety and Inspection Service (FSIS)

195. PERFORMANCE STANDARDS FOR PUMPED OR MASSAGED BACON**Priority:** Other Significant**Legal Authority:** 21 USC 601 et seq**CFR Citation:** 9 CFR 424.22(b)**Legal Deadline:** None

Abstract: FSIS is proposing to revise the regulatory provisions concerning the production and testing of pumped or massaged bacon (9 CFR 424.22(b)). FSIS is proposing to remove provisions that prescribe the substances and amounts of such substances that must be used to produce pumped or massaged bacon. FSIS is proposing to replace these provisions with an upper limit for nitrite and a performance standard that establishments producing pumped or massaged bacon must meet. To meet the proposed performance standard, the process used to produce pumped or massaged bacon would be required to limit the presence of nitrosamines when the product is cooked.

Timetable:

Action	Date	FR Cite
NPRM	03/00/07	

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

Agency Contact: Dr. Daniel L. Engeljohn, Deputy Assistant Administrator, Office of Policy, Program, and Employee Development, Department of Agriculture, Food Safety and Inspection Service, 1400 Independence Avenue SW, Washington, DC 20250
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RIN: 0583-AC49**196. EGG PRODUCTS INSPECTION REGULATIONS****Priority:** Economically Significant. Major under 5 USC 801.**Unfunded Mandates:** Undetermined**Legal Authority:** 21 USC 1031 to 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 and establishments that pasteurize shell eggs 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 egg products and pasteurized shell eggs. Plants would be expected to develop HACCP systems that ensure products meet the pathogen reduction performance standards. Finally, FSIS is proposing to amend the Federal 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. This proposal will not encompass shell egg packers. In the near future, FSIS will initiate non-regulatory outreach efforts for shell egg packers that will provide information intended to help them to safely process shell eggs intended for

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human consumption or further processing.

The actions being proposed are part of FSIS' regulatory reform effort to improve FSIS' 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 egg products regulations as consistent as possible with the Agency's meat 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	12/00/06	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Federal, State

Federalism: Undetermined

Agency Contact: Victoria Levine, Program Analyst, Regulations and Petitions Policy Staff, Department of Agriculture, Food Safety and Inspection Service, 1400 Independence Avenue SW, Washington, DC 20250
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RIN: 0583-AC58

197. PRIOR LABELING APPROVAL SYSTEM: GENERIC LABEL APPROVAL

Priority: Substantive, Nonsignificant

Legal Authority: 21 USC 451 to 470; 21 USC 601 to 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 the nutrition labeling rules that currently are stated separately for meat and poultry products (in part 317, subpart B, and part 381, subpart Y, respectively) and by amending their provisions to set out clearly various circumstances under which these products are misbranded.

Timetable:

Action	Date	FR Cite
NPRM	03/00/07	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Undetermined

Agency Contact: Robert Post Ph.D., Director, Labeling and Consumer Protection Staff, Department of Agriculture, Food Safety and Inspection Service, 1400 Independence Avenue SW, Washington, DC 20250
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Email: robert.post@fsis.usda.gov

RIN: 0583-AC59

198. PERFORMANCE STANDARD FOR CHILLING OF READY-TO-COOK POULTRY

Priority: Other Significant

Legal Authority: 21 USC 451 to 470

CFR Citation: 9 CFR 381.66

Legal Deadline: None

Abstract: FSIS is proposing a performance standard for the chilling of ready-to-cook poultry products that is intended to ensure the control of microorganisms on the products from a point after evisceration until the products are frozen, further processed, or packaged for shipment from the processing plant. The current specific time and temperature requirements for chilling poultry carcasses of various weights would be retained as alternative requirements that poultry processors could choose to meet. FSIS is taking this action to provide poultry processors with greater flexibility in achieving the purposes of the poultry chilling requirements whilst complying with the Agency's Hazard Analysis and Critical Control Point (HACCP) and other regulations. This proposal responds to petitions from industry trade associations.

Timetable:

Action	Date	FR Cite
NPRM	03/00/07	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Dr. Daniel L. Engeljohn, Deputy Assistant Administrator, Office of Policy, Program, and Employee Development, Department of Agriculture, Food Safety and Inspection Service, 1400 Independence Avenue SW, Washington, DC 20250
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RIN: 0583-AC87

199. ADDITION OF MEXICO TO THE LIST OF COUNTRIES ELIGIBLE FOR THE IMPORTATION OF SLAUGHTERED (FRESH) POULTRY AND EGG PRODUCTS INTO THE UNITED STATES

Priority: Substantive, Nonsignificant

Legal Authority: Not Yet Determined

CFR Citation: 9 CFR 381

Legal Deadline: None

Abstract: FSIS is proposing to add Mexico to the list of countries from which fresh slaughtered poultry and egg products may be imported into the United States

Timetable:

Action	Date	FR Cite
NPRM	09/00/06	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Sally White, Director, International Equivalence Staff, Department of Agriculture, Food Safety and Inspection Service, Room 2137, 1400 Independence Avenue SW, Washington, DC 20250
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Related RIN: Duplicate of 0583-AC92

RIN: 0583-AD01

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200. FOOD DEFENSE PLANS**Priority:** Other Significant**Unfunded Mandates:** Undetermined**Legal Authority:** 7 USC 138f; 7 CFR 2.18, 2.53; 21 USC 601 et seq; 21 USC 451 et seq; 21 USC 1031 et seq**CFR Citation:** 9 CFR 420**Legal Deadline:** None

Abstract: The Food Safety and Inspection Service (FSIS) is proposing to require that official establishments develop, implement, and maintain food security plans to prevent intentional product contamination. FSIS is also proposing to require establishments to review these plans at least once a year and modify them as appropriate. FSIS is taking this action to enhance protection of the nation's food supply against possible terrorist acts.

Timetable:

Action	Date	FR Cite
NPRM	12/00/06	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** State

Agency Contact: Bobby Palesano, Acting Deputy Executive Associate for Program Development, Department of Agriculture, Food Safety and Inspection Service, Room 2932, 1400 Independence Avenue SW, Washington, DC 20250
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RIN: 0583-AD06**201. AVAILABILITY OF LISTS OF RETAIL CONSIGNEES DURING MEAT OR POULTRY PRODUCT RECALLS****Priority:** Other Significant**Legal Authority:** 5 USC 301, 552**CFR Citation:** 9 CFR 390**Legal Deadline:** None

Abstract: The Food Safety and Inspection Service (FSIS) is proposing to amend the federal meat and poultry products inspection regulations to provide that the Agency will make available to the public lists of the retail consignees of meat and poultry products that have been voluntarily recalled by a federally inspected meat or poultry products establishment. FSIS

is proposing this action because it believes that making this information available will be of significant value to consumers and the industry. It will clarify what products should be removed from commerce and from consumers' possession because there is reason to believe they are adulterated or misbranded.

Timetable:

Action	Date	FR Cite
NPRM	03/07/06	71 FR 11326
NPRM Comment Period End	05/08/06	
Final Action	05/00/07	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Undetermined

Agency Contact: Mr. Philip Derfler, Assistant Administrator, Office of Policy, Program, and Employee Development, Department of Agriculture, Food Safety and Inspection Service, Room 350, Jamie L. Whitten Building, 1400 Independence Avenue SW, Washington, DC 20250-3700
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RIN: 0583-AD10**202. ELECTRONIC SIGNATURES****Priority:** Economically Significant. Major under 5 USC 801.

Legal Authority: Federal Meat Inspection Act (FMIA) (21 USC 601 et seq); Poultry Product Inspection Act (PPIA) (21 USC 451 et seq); Egg Products Inspection Act (EPIA) (21 USC 1031 et seq); Government Paperwork Elimination Act of 1998 (PL 105-277, title XVII)

CFR Citation: Not Yet Determined**Legal Deadline:** None

Abstract: The Food Safety and Inspection Service (FSIS) is proposing to accept electronic signatures as equal to handwritten signatures so long as the electronic report-generating and recordkeeping system uses procedures and controls designed to ensure authenticity, integrity, and where necessary, confidentiality. Such systems must also ensure that signatures are linked to records; that signatures cannot be excised, copied, transferred, or otherwise falsified; and

that the signer cannot repudiate signed records as not genuine.

Timetable:

Action	Date	FR Cite
NPRM	03/00/07	

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

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RIN: 0583-AD14**203. DEFINITIONS AND PROCEDURES FOR DETERMINING THE NET WEIGHT COMPLIANCE OF MEAT AND POULTRY PRODUCTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 21 USC 601 et seq; 21 USC 451 et seq**CFR Citation:** 9 CFR 317; 9 CFR 381; 9 CFR 442**Legal Deadline:** None

Abstract: The Food Safety and Inspection Service (FSIS) is proposing to amend the Federal meat and poultry products inspection regulations in order that they reference the revised version of the National Institute of Standards and Technology (NIST) Handbook 133 that contains standards for determining the reasonable variations allowed for the declared net weight on labels of immediate containers of meat and poultry products; the procedures to be used to determine the net weight and net weight compliance of meat and poultry products; and related definitions. The Agency also is proposing to consolidate the separate net weight regulations for meat and poultry products in a new CFR part, applicable to both meat and poultry products.

Timetable:

Action	Date	FR Cite
NPRM	03/28/06	71 FR 15340
NPRM Comment Period End	05/30/06	
Final Action	02/00/07	

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Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Robert Post Ph.D., Director, Labeling and Consumer Protection Staff, Department of Agriculture, Food Safety and InspectionService, 1400 Independence Avenue SW, Washington, DC 20250
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RIN: 0583-AD17**Department of Agriculture (USDA)
Food Safety and Inspection Service (FSIS)**

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204. PERFORMANCE STANDARDS FOR THE PRODUCTION OF PROCESSED MEAT AND POULTRY PRODUCTS**Priority:** Economically Significant. Major under 5 USC 801.**Legal Authority:** 21 USC 451 et seq; 21 USC 601 et seq**CFR Citation:** 9 CFR 301; 9 CFR 303; 9 CFR 317; 9 CFR 318; 9 CFR 319; 9 CFR 320; 9 CFR 325; 9 CFR 331; 9 CFR 381; 9 CFR 417; 9 CFR 430; 9 CFR 431**Legal Deadline:** None

Abstract: FSIS has proposed to establish pathogen reduction performance standards for all ready-to-eat (RTE) and partially heat-treated 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. With HACCP, food safety performance standards 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 standards already in place for certain ready-to-eat meat and poultry products.

Timetable:

Action	Date	FR Cite
NPRM	02/27/01	66 FR 12590
NPRM Comment Period End	05/29/01	
NPRM Comment Period Extended	07/03/01	66 FR 35112
NPRM Comment Period End	09/10/01	
Interim Final Rule	06/06/03	68 FR 34208
Interim Final Rule Effective	10/06/03	

Action	Date	FR Cite
Interim Final Rule Comment Period End	01/31/05	
NPRM Comment Period Reopened	03/24/05	70 FR 15017
NPRM Comment Period End	05/09/05	
Final Action	12/00/06	

Regulatory Flexibility Analysis Required: Yes**Small Entities Affected:** Businesses**Government Levels Affected:** Undetermined

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RIN: 0583-AC46

205. NUTRITION LABELING OF SINGLE-INGREDIENT PRODUCTS AND GROUND OR CHOPPED MEAT AND POULTRY PRODUCTS**Priority:** Economically Significant. Major under 5 USC 801.**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 has proposed to amend the Federal meat and poultry products inspection regulations to require nutrition labeling for the major cuts of single-ingredient, raw meat and poultry products, either on their label or at their point-of-purchase, unless an exemption applies. FSIS also proposed to require nutrition information on the label of ground or chopped meat and poultry products, unless an exemption applies. The requirements for ground or

chopped products will be consistent with those for multi-ingredient products.

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

Timetable:

Action	Date	FR Cite
NPRM	01/18/01	66 FR 4970
NPRM Comment Period End	04/18/01	
Extension of Comment Period	04/20/01	66 FR 20213
NPRM Comment Period End	07/17/01	
Final Action	09/00/06	

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

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Email: robert.post@fsis.usda.gov
RIN: 0583-AC60

206. FOOD STANDARDS; GENERAL PRINCIPLES AND FOOD STANDARDS MODERNIZATION**Priority:** Other Significant**Legal Authority:** 21 USC 601 et seq; 21 USC 451 et seq; 21 USC 321 et seq**CFR Citation:** 9 CFR 410; 21 CFR 130**Legal Deadline:** None

Abstract: The Food Safety and Inspection Service (FSIS) and the Food and Drug Administration (FDA) have proposed to establish a set of general

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principles for food standards. The adherence to these principles will result in standards that will better promote honesty and fair dealing in the interest of consumers, protect the public, allow for technological advances in food production, be consistent with international food standards, and be clear, simple, and easy to use for both manufacturers and the agencies that enforce compliance with the standards. The proposed general principles will establish the criteria that the agencies will use in considering whether a petition to establish, revise, or eliminate a food standard will be the basis for a proposed rule.

Timetable:

Action	Date	FR Cite
NPRM	05/20/05	70 FR 29214
NPRM Comment Period End	08/18/05	
Final Action	03/00/07	

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

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RIN: 0583-AC72**207. PERFORMANCE CRITERIA FOR ON-LINE ANTIMICROBIAL REPROCESSING OF PRE-CHILL POULTRY CARCASSES****Priority:** Other Significant**Legal Authority:** 21 USC 451 to 470**CFR Citation:** 9 CFR 381; 9 CFR 424**Legal Deadline:** None

Abstract: This rule will allow, on a voluntary basis, the on-line antimicrobial reprocessing of pre-chill poultry that are accidentally contaminated with digestive tract contents during slaughter. Generic E. coli will be the indicator organism. This pre-chill criterion will be in addition to the post-chill standards for generic E. coli and Salmonella already required by the HACCP regulations.

Timetable:

Action	Date	FR Cite
NPRM	12/01/00	65 FR 75187
NPRM Comment Period End	04/02/01	
Final Action	03/00/07	

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

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RIN: 0583-AC73**208. PETITIONS FOR RULEMAKING****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 553**CFR Citation:** 9 CFR 392**Legal Deadline:** None

Abstract: FSIS is proposing to amend its regulations to add a new part that prescribes procedures for the submission, consideration, and disposition of petitions for rulemaking. The proposal also describes the Agency's expectations for the type of documentation that should be submitted in support of a petition and that will facilitate regulatory development. FSIS is proposing this action to provide clear guidance to those who would like to participate in the rulemaking process by petitioning FSIS to issue, amend, or repeal a rule administered by the Agency.

Timetable:

Action	Date	FR Cite
NPRM	01/12/06	71 FR 1988
NPRM Comment Period End	03/13/06	
Final Action	03/00/07	

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

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RIN: 0583-AC81**209. CLASSES OF POULTRY UPDATING POULTRY CLASS STANDARDS****Priority:** Other Significant**Legal Authority:** 21 USC 451**CFR Citation:** 9 CFR 381.170(a)**Legal Deadline:** None

Abstract: FSIS will amend the official U.S. classes of poultry so that they more accurately and clearly describe the characteristics of poultry in the market today. Poultry classes are defined primarily in terms of age and sex of the bird. Genetic improvements and new poultry management techniques have reduced the grow-out period for some poultry classes while extensive cross breeding has produced poultry with higher meat yields but blurred breed distinctions. This action is being taken to ensure that poultry products are labeled in a truthful and non-misleading manner. The rule will update existing regulations to reflect current poultry characteristics and production practices. Therefore, the impact on the poultry industry is expected to be minimal.

Timetable:

Action	Date	FR Cite
NPRM	09/29/03	68 FR 55902
NPRM Comment Period End	02/09/04	
Final Action	12/00/06	

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

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RIN: 0583-AC83

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Final Rule Stage

210. PROHIBITION OF THE USE OF SPECIFIED RISK MATERIALS FOR HUMAN FOOD AND REQUIREMENTS FOR THE DISPOSITION OF NON-AMBULATORY DISABLED CATTLE

Priority: Economically Significant. Major under 5 USC 801.

Legal Authority: 21 USC 601 et seq

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: On January 12, 2004, the Food Safety and Inspection Service (FSIS) issued an interim final rule to amend the Federal meat inspection regulations to designate the brain, skull, eyes, trigeminal ganglia, spinal cord, vertebral column (excluding the vertebrae of the tail, the transverse processes of the thoracic and lumbar vertebrae, and the wings of the sacrum), and dorsal root ganglia (DRG) of cattle 30 months of age and older, and the tonsils and distal ileum of the small intestine of all cattle, as “specified risk materials” (SRMs). The Agency declared that SRMs are inedible and prohibited their use for human food. In addition, as a result of the interim final rule, FSIS now requires that all non-ambulatory disabled cattle presented for slaughter be condemned. The Agency also requires that federally inspected establishments that slaughter cattle and federally inspected establishments that process the carcasses or parts of cattle develop, implement, and maintain written procedures for the removal, segregation, and disposition of SRMs. Establishments must incorporate these procedures into their HACCP plans or in their Sanitation SOPs or other prerequisite program. FSIS took this action in response to the diagnosis on December 23, 2003, by the U.S. Department of Agriculture of a positive case of bovine spongiform encephalopathy (BSE) in an adult Holstein cow in the State of Washington. This action is intended to minimize human exposure to materials that scientific studies have demonstrated as containing the BSE agent in cattle infected with the disease. Infectivity has never been demonstrated in the muscle tissue of cattle experimentally or naturally infected with BSE at any stage of the disease.

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/12/04	69 FR 1862
Interim Final Rule Comment Period End	05/07/04	
Interim Final Rule Amendment	07/07/05	70 FR 53043
Interim Final Rule Amendment Comment Period End	10/07/05	
Final Action	09/00/06	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

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RIN: 0583-AC88

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

Priority: Other Significant

Legal Authority: 21 USC 601 to 695

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

Legal Deadline: None

Abstract: On January 12, 2004, the Food Safety and Inspection Service (FSIS) issued an interim final rule to amend the Federal meat inspection regulations. The rule is designed, in part, to prevent human exposure to the Bovine Spongiform Encephalopathy (BSE) agent by ensuring that Advanced Meat/Bone Separation Machinery and Meat Recovery (AMR) systems are not a means of introducing central nervous system (CNS)-type tissue into product labeled as “meat.” Meat may be derived by mechanically separating skeletal muscle tissue from the bones of livestock, other than skulls or vertebral column bones of cattle 30 months of age and older, using advances in mechanical meat/bone separation machinery; i.e., AMR systems. The

recovered meat product may not incorporate any brain, trigeminal ganglia, spinal cord, or dorsal root ganglia tissues. In addition, there must be no more than a non-significant incorporation of bone solids or bone marrow as measured by the presence of calcium and iron in excess of the requirements in the interim final rule. This rule also requires that federally inspected establishments that process cattle develop, implement, and maintain written procedures for the removal, segregation, and disposition of specified risk materials (SRMs), including non-complying products from beef AMR systems. These procedures are required to be incorporated into an establishment’s HACCP plan, Sanitation Standard Operation Procedures, or other prerequisite program. FSIS took this action in response to the diagnosis on December 23, 2003, by the Department of Agriculture of a positive case of BSE in an adult Holstein cow in the State of Washington.

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/12/04	69 FR 1874
Interim Final Rule Comment Period End	05/07/04	
Final Action	12/00/06	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: None

Government Levels Affected: None

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Related RIN: Duplicate of 0583-AC51

RIN: 0583-AD00

212. PROHIBITION ON THE USE OF AIR-INJECTION STUNNERS FOR THE SLAUGHTER OF CATTLE

Priority: Other Significant

Legal Authority: Federal Meat Inspection Act; . . .

CFR Citation: 9 CFR 313

Legal Deadline: None

USDA—FSIS

Final Rule Stage

Abstract: The Food Safety and Inspection Service (FSIS) is amending the Federal meat inspection regulations to prohibit the use of penetrative captive bolt stunning devices that deliberately inject air into the cranial cavity of cattle. This rulemaking responds to the findings of a risk assessment on bovine spongiform encephalopathy (BSE) conducted by the Harvard Center for Risk Analysis (referred to as the Harvard study) and is part of a series of actions that the USDA is taking to strengthen its BSE prevention programs.

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/12/04	69 FR 1885
Interim Final Rule Comment Period End	05/07/04	
Final Action	09/00/06	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Undetermined

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RIN: 0583-AD03**213. FREQUENCY OF FOREIGN INSPECTION SYSTEM SUPERVISORY VISITS TO CERTIFIED FOREIGN ESTABLISHMENTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 21 USC 601 to 695; 7 CFR 2.18, 2.53; 7 USC 138f, 450; 21 USC 451 to 470**CFR Citation:** 9 CFR 327.2; 9 CFR 381.96**Legal Deadline:** None

Abstract: FSIS will amend its regulations to change the required frequency of foreign inspection system supervisory visits to certified foreign establishments so as to bring FSIS import requirements into agreement with its requirements for domestic establishments. FSIS will delete the

current requirement that supervisory visits take place “not less frequent[ly] than one such visit per month.” In its place, FSIS will require foreign inspection systems to make “periodic supervisory visits” to certified establishments in order to ensure that such establishments continue to meet FSIS requirements for certification to export meat and poultry to the United States.

Timetable:

Action	Date	FR Cite
NPRM	08/18/04	69 FR 51194
NPRM Comment Period End	10/18/04	
Final Action	09/00/06	

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

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RIN: 0583-AD08**214. ACCREDITED LABORATORY PROGRAM****Priority:** Substantive, Nonsignificant**Legal Authority:** 21 USC 601 et seq; 21 USC 451 et seq**CFR Citation:** 9 CFR 318, 381, and 439**Legal Deadline:** None

Abstract: The proposal revises, edits, and consolidates provisions to establish standards and procedures for the accreditation of non-Federal analytical chemistry laboratories. FSIS is proposing to amend the regulations to accommodate more readily the adoption of newer methods for analyzing an expanded number of chemical residues and to correct some factual data. In addition, FSIS is proposing to make other editorial changes to reflect Agency reorganizations and program changes since a rule was published in 1993. This rule also proposes to consolidate the regulations, now in two parts, into a single part, 9 CFR part 439.

Timetable:

Action	Date	FR Cite
NPRM	01/17/06	71 FR 2483
NPRM Comment Period End	03/20/06	
Final Action	02/00/07	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses, Governmental Jurisdictions**Government Levels Affected:** None

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RIN: 0583-AD09**215. ALLOWING BAR-TYPE CUT TURKEY OPERATIONS TO USE J-TYPE CUT MAXIMUM LINE SPEEDS****Priority:** Substantive, Nonsignificant**Legal Authority:** 21 USC 451 et seq**CFR Citation:** 9 CFR 381.68**Legal Deadline:** None

Abstract: FSIS has posted to amend the Federal poultry products inspection regulations to provide that turkey slaughter establishments that open turkey carcasses with Bar-type cuts may operate at the maximum line speeds established for J-type cuts, if the establishment uses the specific type of shackle described in this proposed rule. Under this proposed rule, as under current regulations, the inspector in charge will reduce line speeds when, in his or her judgment, the prescribed inspection procedure cannot be adequately performed within the time available because of the health conditions of a particular flock or because of other factors. Such factors include the manner in which birds are being presented to the inspector for inspection and the level of contamination among the birds on the line.

Timetable:

Action	Date	FR Cite
NPRM	09/09/05	70 FR 53582
NPRM Comment Period End	12/08/05	
Final Action	03/00/07	

USDA—FSIS

Final Rule Stage

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 0583-AD18

216. • ADDITION OF THE PEOPLE’S REPUBLIC OF CHINA TO THE LIST OF COUNTRIES ELIGIBLE TO EXPORT PROCESSED POULTRY AND POULTRY PRODUCTS TO THE UNITED STATES

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 138f, 450;; 7 USC 451 to 470,

CFR Citation: 7 CFR 2.18, 2.53; 9 CFR 381

Legal Deadline: None

Abstract: The Food Safety and Inspection Service (FSIS) is proposing to add the People’s Republic of China to the list of countries eligible to export processed poultry and poultry products to the United States.

Timetable:

Action	Date	FR Cite
NPRM	11/23/05	70 FR 70746
NPRM Comment Period End	01/23/06	
Final Action	03/00/07	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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RIN: 0583-AD20

Department of Agriculture (USDA)

Completed Actions

Food Safety and Inspection Service (FSIS)

217. INCREASES IN FEES FOR MEAT, POULTRY, AND EGG PRODUCTS INSPECTION SERVICES—FISCAL YEARS 2006 TO 2008

Priority: Substantive, Nonsignificant

CFR Citation: 9 CFR 391.2 Base Time Rate; 9 CFR 391.3 Ove; 9 CFR391.5 Laboratory accreditation fee; 9 ; 9 CFR 590.128 Holiday inspection service; ; 9 CFR 592.520 Overtime rate; 9 CFR 592.530 Ho

Completed:

Reason	Date	FR Cite
Final Action	01/13/06	71 FR 2135

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 0583-AD12

218. ADDITION OF CHILE TO THE LIST OF COUNTRIES ELIGIBLE TO EXPORT MEAT AND MEAT PRODUCTS TO THE UNITED STATES

Priority: Substantive, Nonsignificant

CFR Citation: 9 CFR 327

Completed:

Reason	Date	FR Cite
Final Action	11/21/05	70 FR 70033

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 0583-AD16

219. • FOOD LABELING; NUTRIENT CONTENT CLAIMS, DEFINITION OF THE TERM “HEALTHY”

Priority: Substantive, Nonsignificant

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

CFR Citation: 9 CFR 317; 9 CFR 381

Legal Deadline: None

Abstract: The Food Safety and Inspection Service (FSIS) has deferred extending indefinitely, until further notice, implementation of the requirements that individual meat and poultry products and that meal-type products bearing the claim products bearing the claim “healthy” (or any derivative of the term “health”) contain no more than 480 mg of sodium.

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/11/06	71 FR 1683
Interim Final Rule Comment Period End	02/10/06	
Interim Final Rule Effective	01/11/06	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 0583-AD19

220. • ANTE-MORTEM INSPECTION OF HORSES

Priority: Substantive, Nonsignificant

Legal Authority: 21 USC 601 7 USC 1622

CFR Citation: None

Legal Deadline: None

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

USDA—FSIS

Completed Actions

the Federal meat inspection regulations to provide for a voluntary fee-for-service program under which official establishments that slaughter horses will be able to apply for and pay for ante-mortem inspection. The fiscal year (FY) 2006 Appropriations Act prohibits the use of appropriated funds to pay the salaries or expenses of FSIS personnel to conduct ante-mortem inspection of horses. The Joint Explanatory Statement of the Committee of Conference on the FY 2006 appropriations bill for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, however, provides that the Department of Agriculture is obliged to provide for inspection of meat for

human consumption. FSIS is establishing this fee-for-service program under the Agricultural Marketing Act. Post-mortem inspection and other inspection activities authorized by the Federal Meat Inspection Act at official establishments that slaughter horses would continue to be paid for with appropriated funds, except for overtime or holiday inspection services.

Timetable:

Action	Date	FR Cite
Interim Final Rule	02/08/06	71 FR 6337
Interim Final Rule Comment Period End	03/10/06	
Interim Final Rule Effective	03/10/06	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 0583-AD21

BILLING CODE 3410-DM-S

**Department of Agriculture (USDA)
Foreign Agricultural Service (FAS)**

Proposed Rule Stage

221. QUALITY SAMPLES PROGRAM

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: Not Yet Determined

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: Rule proposes to establish regulations applicable to the Quality Samples Program (QSP), currently authorized by section 5(f) of the CCC Charter Act, 15 U.S.C. 714c(f). This proposed rule would codify existing guidelines. The rule would provide

specific regulations concerning program administration. Significant provisions include program objectives and priorities, eligible organizations, qualification requirements, application and review processes, reimbursement rules and procedures, financial reporting and program evaluation requirements, and program controls.

Timetable:

Action	Date	FR Cite
NPRM	04/00/06	
NPRM Comment Period End	06/00/06	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:
www.fas.usda.gov

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**Department of Agriculture (USDA)
Foreign Agricultural Service (FAS)**

Final Rule Stage

222. NEW PROVISIONS AND REVISIONS TO SUGAR REEXPORT PROGRAMS UNDER 7 CFR 1530

Priority: Other Significant

Legal Authority: 19 USC 1202; 19 USC 3314

CFR Citation: 7 CFR 1530

Legal Deadline: None

Abstract: This regulation governs the importation of world price sugar and its subsequent use as a refined reexport, product ingredient, or input into the production of polyhydric alcohols. The proposed amendments and/or modifications are principally aimed at

reorganizing and simplifying the complexity of the current regulation; clarifying certain definitions, including the coverage of beet and cane sugar; extending the scope of the regulation to specially include toll operations, which was inadvertently omitted; and implementing Mexico-NAFTA legal commitments. The proposed action will provide for increased operational efficiencies and promote the Government's objectives regarding regulatory simplification.

Timetable:

Action	Date	FR Cite
ANPRM	05/01/03	68 FR 23230

Action	Date	FR Cite
ANPRM Comment Period End	06/02/03	
NPRM	01/21/05	70 FR 3150
NPRM Comment Period End	03/22/05	
Final Action	07/00/06	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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