
Department of Agriculture (USDA)
Agricultural Marketing Service (AMS)

RIN: 0581-AD11

Statement of Need: Expanding the types of labeling that are generically approved would permit Agency personnel to focus their resources on evaluating only those claims or special statements that have health and safety or economic implications. This would essentially eliminate the time needed for FSIS personnel to evaluate labeling features and allocate more time for staff to work on other duties and responsibilities. A major advantage of this proposal is that it is consistent with FSIS' current regulatory approach, which separates industry and Agency responsibilities.

Legal Basis: 21 U.S.C. 457 and 607.

Alternatives: FSIS considered several options. The first was to expand the types of labeling that would be generically approved and consolidate into one part all of the labeling regulations applicable to products regulated under the FMIA and PPIA and the policies currently contained in FSIS Directive 7220.1, Revision 3. The second option FSIS considered was to consolidate only the meat and poultry regulations that are similar and to expand the types of generically approved labeling that can be applied by Federal and certified foreign establishments. The third option, and the one favored by FSIS, was to amend the prior labeling approval system in an incremental three-phase approach.

Costs and Benefits: The proposed rule would permit the Agency to realize an estimated discounted cost savings of \$2.9 million over 10 years. The proposed rule would be beneficial because it would streamline the generic labeling process, while imposing no additional cost burden on establishments. Consumers would benefit because industry would have the ability to introduce products into the marketplace more quickly.

Risks: None

Timetable:

Action	Date	FR Cite
NPRM	12/05/2011	76 FR 75809
NPRM Comment Period End	02/03/2012	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: Business

Federalism: No

Energy Affected: No

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Department of Agriculture (USDA)

Food Safety and Inspection Service (FSIS)

RIN: 0583-AD30

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Title: Product Labeling: Use of the Voluntary Claim "Natural" on the Labeling of Meat and Poultry Products

Abstract: The Food Safety and Inspection Service (FSIS) is proposing to amend the Federal meat and poultry products inspection regulations to define the conditions under which it will permit the voluntary claim "natural" to be used in the labeling of meat and poultry products. FSIS is also proposing that label approval requests for labels that contain "natural" claims include documentation to demonstrate that the products meet the criteria to bear a "natural" claim. FSIS is proposing to require that meat or poultry products meet these conditions to qualify for a "natural" claim to make the claim more meaningful to consumers.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 9 CFR 317; 9 CFR 381 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

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

Legal Deadline: None

Regulatory Plan:

Statement of Need: A codified "natural" claim definition will reduce uncertainty about which products qualify to be labeled as "natural" and will increase consumer confidence in the claim. A codified "natural" definition that clearly articulates the criteria that meat and poultry products must meet to qualify to be labeled as "natural" will make the Agency's approval of "natural" claims more transparent and will allow the Agency to review labels that contain "natural" claims in a more efficient and consistent manner. A codified "natural" definition will also make the claim more meaningful to consumers.

Legal Basis: 21 U.S.C. 601 et seq.; 21 U.S.C. 451 et seq.

Alternatives: The Agency has considered not proceeding with rulemaking and maintaining the existing policy guidance on "natural" claims and using that policy guidance to evaluate "natural" claims on a case-by-case basis. The Agency has also considered alternative definitions of "natural" and establishing separate codified definitions of "natural," "natural...minimally processed," and "natural...minimally processed/all natural ingredients."

Costs and Benefits: FSIS anticipates that a clear and simple definition of "natural" will minimize cognitive costs to consumers. FSIS also anticipates benefits from a consistent USDA policy on "natural" claims. FSIS anticipates costs to establishments to change their labels or change their production practices.

Risks: None

Timetable:

Action	Date	FR Cite
ANPRM	09/14/2009	74 FR 46951
ANPRM Comment Period End	11/13/2009	
NPRM	09/00/2012	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: Business

Federalism: No

Energy Affected: No

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Department of Agriculture (USDA)
Food Safety and Inspection Service (FSIS)

RIN: 0583-AD32

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Title: New Poultry Slaughter Inspection

Abstract: FSIS is proposing a new inspection system for young poultry slaughter establishments that would facilitate public health-based inspection. This new system would be available initially only to young chicken and turkey slaughter establishments. Establishments that slaughter broilers, fryers, roasters, and Cornish game hens (as defined in 9 CFR 381.170) would be considered as "young chicken establishments." FSIS is also proposing to revoke the provisions that allow young chicken slaughter establishments to operate under the current Streamlined Inspection System (SIS) or the New Line Speed (NELS) Inspection System, and to revoke the New Turkey Inspection System (NTIS). FSIS anticipates that this proposed rule would provide the framework for action to provide public health-based inspection in all establishments that slaughter amenable poultry species. Under the proposed new system, young chicken slaughter establishments would be required to sort chicken carcasses and to conduct other activities to ensure that carcasses are not adulterated before they enter the chilling tank.

Priority: Economically Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: Yes

Unfunded Mandates: No

CFR Citation: 9 CFR 381.66; 9 CFR 381.67; 9 CFR 381.76; 9 CFR 381.83; 9 CFR 381.91; 9 CFR 381.94 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 21 USC 451 et seq

Legal Deadline: None

Regulatory Plan:

Statement of Need: Because of the risk to the public health associated with pathogens on young chicken carcasses, FSIS is proposing a new inspection system that would allow for more effective inspection of young chicken carcasses, would allow the Agency to more effectively allocate its resources, would encourage industry to more readily use new technology, and would include new performance standards to reduce pathogens. This proposed rule is an example of regulatory reform because it would facilitate technological innovation in young chicken slaughter establishments. It would likely result in more cost-effective dressing of young chickens that are ready to cook or ready for further processing. Similarly, it would likely result in more efficient and effective use of Agency resources.

Legal Basis: 21 U.S.C. 451 to 470.

Alternatives: FSIS considered the following options in developing this proposal: 1) No action. 2) Propose to implement

HACCP-based Inspection Models Pilot in regulations. 3) Propose to establish a mandatory, rather than a voluntary, new inspection system for young chicken slaughter establishments.

Costs and Benefits: Not publicly available at this time.

Risks: Salmonella and other pathogens are present on a substantial portion of poultry carcasses inspected by FSIS. Foodborne salmonella cause a large number of human illnesses that at times lead to hospitalization and even death. There is an apparent relationship between human illness and prevalence levels for salmonella in young chicken carcasses. FSIS believes that through better allocation of inspection resources and the use of performance standards, it would be able to better address the prevalence of salmonella and other pathogens in young chickens.

Timetable:

Action	Date	FR Cite
NPRM	01/00/2012	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: No

Small Entities Affected: Business

Federalism: No

Energy Affected: No

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Department of Agriculture (USDA)

Food Safety and Inspection Service (FSIS)

RIN: 0583-AD39

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Title: Electronic Imported Product Inspection Application and Certification of Imported Product and Foreign Establishments; Amendments to Facilitate the Public Health Information System (PHIS)

Abstract: FSIS is proposing to amend the meat, poultry, and egg products import inspection regulations to provide for an electronic import inspection application, and electronic imported product foreign inspection and foreign establishment certification system. FSIS is also proposing to delete the "streamlined" import inspection procedures for Canadian product. In addition, the Agency is proposing that official import inspection establishment must develop, implement, and maintain written Sanitation SOPs, as provided in 9 CFR 416.11 through 416.17. FSIS is also announcing that it is discontinuing its practice of conducting imported product reinspection based on a foreign government's guarantee.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 9 CFR 304.3; 9 CFR 327.2 and 327.4; 9 CFR 381.196 to 381.198; 9 CFR 590.915 and 590.920 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: Federal Meat Inspection Act (FMIA) (21 USC 601 to 695), the Poultry Products Inspection Act (PPIA) (21 USC 451 to 470); Egg Products Inspection Act (EPIA) (21 USC 1031 to 1056)

Legal Deadline: None

Regulatory Plan:

Statement of Need: FSIS is proposing these regulations to provide for the electronic import system, which will be available through the Agency's Public Health Information System (PHIS), a computerized, Web-based inspection information system. The import system will enable applicants to electronically submit and track import inspection applications that are required for all commercial entries of FSIS-regulated products imported into the U.S. FSIS inspection program personnel will be able to access the PHIS system to assign appropriate imported product inspection activities. The electronic import system will also facilitate the imported product foreign inspection and annual foreign establishment certifications by providing immediate and direct electronic government-to-government exchange of information. The Agency is proposing to delete the Canadian streamlined import inspection procedures because they have not been in use since 1990 and are obsolete. Sanitation SOPs are written procedures establishments develop, implement, and maintain to prevent direct contamination or adulteration of meat or poultry products. To ensure that imported meat and poultry products do not become contaminated while undergoing reinspection prior to entering the U.S., FSIS is proposing to clarify that official import inspection establishments must develop written Sanitation SOPs.

Legal Basis: 21 U.S.C. 601 to 695; 21 U.S.C. 451 to 470; 21 U.S.C. 1031 to 1056.

Alternatives: The use of the electronic import system is voluntary. The Agency will continue to accept and process paper

import inspection applications, and foreign establishment and imported product foreign inspection certificates. The Canadian streamlined import inspection procedures are not currently in use. Proposing Sanitation SOPs in official import inspection establishments will prevent direct contamination or adulteration of product. Therefore, no alternatives were considered.

Costs and Benefits: Under this proposed rule, the industry will have the option of filing inspection applications electronically and submitting electronic imported foreign inspection product and establishment certificates through the PHIS. Since the electronic option is voluntary, applicants and the foreign countries that choose to file electronically will do so only if the benefits outweigh the cost. Sanitation SOPs are a condition of approval for official import inspection establishments and as a requirement for official import inspection establishments to continue to operate under Federal inspection. The proposed rule will clarify that official import inspection establishments must have developed written Sanitation SOPs before being granted approval and that existing official import inspection establishments must meet Sanitation SOP requirements. Since, in practice, FSIS has always expected official import inspection establishments to maintain Sanitation SOPs during the reinspection of imported products, the proposed amendment for these sanitation requirements will have little, if any, cost impact on the industry.

Risks: None.

Timetable:

Action	Date	FR Cite
NPRM	03/00/2012	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: Business

Federalism: No

Energy Affected: No

International Impacts: This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.

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Department of Agriculture (USDA)

Food Safety and Inspection Service (FSIS)

RIN: 0583-AD41

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Title: Electronic Export Application and Certification as a Reimbursable Service and Flexibility in the Requirements for Official Export Inspection Marks, Devices, and Certificates

Abstract: The Food Safety and Inspection Service (FSIS) is proposing to amend the meat, poultry, and egg product inspection regulations to provide an electronic export application and certification system. The electronic export application and certification system will be a component of the Agency's Public Health Information System (PHIS). The export component of PHIS will be available as an alternative to the paper-based application and certification process. FSIS is proposing to charge users for the use of the proposed system. FSIS is proposing to establish a formula for calculating the fee. FSIS is also proposing to provide establishments that export meat, poultry, and egg products with flexibility in the official export inspection marks, devices, and certificates. In addition, FSIS is proposing egg product export regulations that parallel the meat and poultry export regulations.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 9 CFR 312.8; 9 CFR 322.1 and 322.2; 9 CFR 350.7; 9 CFR 362.5; 9 CFR 381.104 to 381.106; 9 CFR 590.407; 9 CFR 592.20 and 592.500 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: Federal Meat Inspection Act (FMIA) (21 USC 601 to 695); Poultry Products Inspection Act (PPIA) (21 USC 451 to 470); Egg Products Inspection Act (EPIA) (21 USC 1031 to 1056)

Legal Deadline: None

Regulatory Plan:

Statement of Need: FSIS is proposing these regulations to facilitate the electronic processing of export applications and certificates through the Public Health Information System (PHIS), a computerized, Web-based inspection information system. The current export application and certification regulations provide only for a paper-based process. This proposed rule will provide this electronic export system as a reimbursable certification service charged to the exporter.

Legal Basis: 21 U.S.C. 601 to 695; 21 U.S.C. 451 to 470; 21 U.S.C. 1031 to 1056; 7 U.S.C. 1622(h).

Alternatives: The electronic export applications and certification system is being proposed as a voluntary service; therefore, exporters have the option of continuing to use the current paper-based system. Therefore, no alternatives were considered.

Costs and Benefits: FSIS is proposing to charge exporters an application fee for the electronic system. Automating the export application and certification process will facilitate the exportation of U.S. meat, poultry, and egg products by streamlining and automating the processes that are in use while ensuring that foreign regulatory requirements are met. The cost to an exporter would depend on the number of electronic applications submitted. An exporter that submits only a few applications per year would not be likely to experience a significant economic impact. Under this proposal, inspection personnel workload is reduced through the elimination of the physical handling and processing of applications and certificates. When an electronic government-to-government system interface or data exchange is used, fraudulent transactions, such as false alterations and reproductions, will be significantly reduced, if not eliminated. The electronic export system is designed to ensure authenticity, integrity, and confidentiality. Exporters will be provided a more efficient and effective application and certification process. The proposed egg product export regulations provide the same export requirements across all products regulated by FSIS and consistency in the export application and certification process. The total annual paperwork burden to egg processing industry to fill out the paper-based export application is approximately \$32,340 per year for a total of 924 hours a year. The average establishment burden would be 11 hours, and \$385.00 per establishment.

Risks: None.

Timetable:

Action	Date	FR Cite
NPRM	01/00/2012	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: Business

Federalism: No

Energy Affected: No

International Impacts: This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.

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Department of Agriculture (USDA)
Food Safety and Inspection Service (FSIS)

RIN: 0583-AD44

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Title: Performance Standards for Pumped or Massaged Bacon

Abstract: The Food Safety and Inspection Service is proposing to remove from its regulations the provisions that prescribe the levels of nitrite, curing accelerators, and other substances that must be used in producing pumped or massaged bacon made from pork bellies (pumped or massaged bacon). The Agency is proposing to replace these provisions with an upper limit for nitrite (based on the highest level of nitrite allowed in existing regulations for pumped or massaged bacon) and with a performance standard of no volatile nitrosamines when the product is fried under certain conditions (i.e., when the product is fried at 340 degrees Fahrenheit for 3 consecutive minutes on each side 21 days after slicing

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 9 CFR 424; 9 CFR 435 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 21 USC 601 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	09/00/2012	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: No

Small Entities Affected: Business

Federalism: No

Energy Affected: No

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Department of Agriculture (USDA)
Food Safety and Inspection Service (FSIS)

RIN: 0583-AD45

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Title: Common or Usual Name for Blade or Needle Mechanically Tenderized Meat and Poultry Products

Abstract: The Agency will propose that raw, needle or blade, mechanically tenderized, meat and poultry products be labeled to indicate that they are "mechanically tenderized." In addition, FSIS will propose that labels of raw mechanically tenderized product include cooking instructions that have been validated to ensure adequate pathogen destruction. The new labeling requirements would apply to consumer ready product, product going to food service facilities, and product going to other Federal establishments for further processing. For mechanically tenderized products that receive a full lethality (e.g., are thoroughly cooked) in a Federal establishment, FSIS will propose that the product continue to be labeled as "mechanically tenderized." However, the Agency will propose that fully cooked, ready-to-eat mechanically tenderized products need not bear cooking instructions on the label.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 9 CFR 317.8; 9 CFR 381.129 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 21 USC 453 and 21 USC 601

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	03/00/2012	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: Business

Federalism: No

Energy Affected: No

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Department of Agriculture (USDA)
Food Safety and Inspection Service (FSIS)

RIN: 0583-AD46

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Title: Proposed Rule: Records to be Kept by Official Establishments and Retail Stores That Grind or Chop Raw Beef Products

Abstract: The Food Safety and Inspection Service (FSIS) is proposing to amend its recordkeeping regulations to specify that all official establishments and retail stores that grind or chop raw beef products for sale in commerce must keep records that disclose the identity of the supplier of all source materials that they use in the preparation of each lot of raw ground or chopped product and identify the names of those source materials. FSIS is aware of other activities that occur at retail that may, ultimately, prove also to be of concern due to inadequate record keeping (e.g., fabrication of steaks and roasts from non-intact beef in which the non-intact beef is later associated with an outbreak; grinding and chopping pork or even poultry; or slicing ready-to-eat meat and poultry). While these issues have been considered during the development of this proposal, the Agency has decided to ask for comment on whether and how such additional issues should be addressed, but will not include them in the current rulemaking.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: Undetermined

Unfunded Mandates: No

CFR Citation: 9 CFR 320 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 21 USC 601 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	03/00/2012	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Federalism: No

Energy Affected: No

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Department of Agriculture (USDA)
Food Safety and Inspection Service (FSIS)

RIN: 0583-AD47

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Title: Food Ingredients and Sources of Radiation Listed and Approved for Use in the Production of Meat and Poultry Products: Benzoic Acid, Sodium Benzoate, Sodium Propionate

Abstract: The Food Safety and Inspection Service (FSIS) is issuing a proposed rule to remove a provision in 9 CFR 242.23(a)(3) that prohibits the use of benzoic acid, sodium propionate, or sodium benzoate in or on any meat or poultry product except as provided in 9 CFR Chapter III. Under this proposed rule, if any of these substances is approved for use in the production of meat or poultry products, FSIS will add such use to the list of approved substances in FSIS directive 7120.1. All substances intended for use in the production of meat and poultry products will continue to be subject to FDA review for safety and FSIS review for suitability.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 9 CFR 424.23 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

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

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	04/00/2012	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Agriculture (USDA)
Food Safety and Inspection Service (FSIS)

RIN: 0583-AC46

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Title: Performance Standards for the Production of Processed Meat and Poultry Products; Control of Listeria Monocytogenes in Ready-To-Eat Meat and Poultry Products

Abstract: FSIS has proposed to establish pathogen reduction performance standards for all ready-to-eat (RTE) and partially heat-treated meat and poultry products, and measures, including testing, to control Listeria monocytogenes in RTE 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.

Priority: Economically Significant

Agenda Stage of Rulemaking: Final Rule

Major: Yes

Unfunded Mandates: No

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 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

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

Legal Deadline: None

Regulatory Plan:

Statement of Need: Although FSIS routinely samples and tests some ready-to-eat products for the presence of pathogens prior to distribution, there are no specific regulatory pathogen reduction requirements for most of these products. The proposed performance standards are necessary to help ensure the safety of these products; give establishments the incentive and flexibility to adopt innovative, science-based food safety processing procedures and controls; and provide objective, measurable standards that can be verified by Agency oversight.

Legal Basis: 21 U.S.C. 601 to 695; 21 U.S.C. 451 to 470.

Alternatives: As an alternative to all of the proposed requirements, FSIS considered taking no action. As alternatives to the proposed performance standard requirements, FSIS considered end-product testing and requiring "use-by" date labeling on ready-to-eat products.

Costs and Benefits: Benefits are expected to result from fewer contaminated products entering commercial food distribution channels as a result of improved sanitation and process controls and in-plant verification. FSIS believes that the benefits of the rule would exceed the total costs of implementing its provisions. FSIS currently estimates net benefits from the 2003 interim final rule at \$470 to \$575 million, with annual recurring costs at \$150.4 million, if FSIS discounts the capital cost at 7 percent. FSIS is continuing to analyze the potential impact of the other provisions of the proposal. The other main provisions of the proposed rule are: Lethality performance standards for Salmonella and E. coli O157:H7 and stabilization performance standards for C. perfringens that firms must meet when producing RTE meat and poultry products. Most of the costs of these requirements would be associated with one-time process performance validation in the first year of implementation of the rule and with revision of HACCP plans. Benefits are expected to result from the entry into commercial food distribution channels of product with lower levels of contamination resulting from improved in-plant process verification and sanitation. Consequently, there will be fewer cases of foodborne illness.

Risks: Before FSIS published the proposed rule, FDA and FSIS had estimated that each year L. monocytogenes caused 2,540 cases of foodborne illness, including 500 fatalities. The Agencies estimated that about 65.3 percent of these cases, or 1660 cases and 322 deaths per year, were attributable to RTE meat and poultry products. The analysis of the interim final rule on control of L. monocytogenes conservatively estimated that implementation of the rule would lead to an annual reduction of 27.3 deaths and 136.7 illnesses at the median. FSIS is continuing to analyze data on production volume and Listeria controls in the RTE meat and poultry products industry and is using the FSIS risk assessment model for L. monocytogenes to determine the likely risk reduction effects of the rule. Preliminary results indicate that the risk reductions being achieved are substantially greater than those estimated in the analysis of the interim rule. FSIS is also analyzing the potential risk reductions that might be achieved by implementing the lethality and stabilization performance standards for products that would be subject to the proposed rule. The risk reductions to be achieved by the proposed rule and that are being achieved by the interim rule are intended to contribute to the Agency's public health protection effort.

Timetable:

Action	Date	FR Cite
NPRM	02/27/2001	66 FR 12590
NPRM Comment Period End	05/29/2001	
NPRM Comment Period Extended	07/03/2001	66 FR 35112
NPRM Comment Period Extended End	09/10/2001	
Interim Final Rule	06/06/2003	68 FR 34208
Interim Final Rule Effective	10/06/2003	
Interim Final Rule Comment Period End	01/31/2005	
NPRM Comment Period Reopened	03/24/2005	70 FR 15017
NPRM Comment Period Reopened End	05/09/2005	
Affirmation of Interim Final Rule	01/00/2012	
Final Action	09/00/2012	

Regulatory Flexibility Analysis Required: Business

Government Levels Affected: No

Federalism: No

Energy Affected: No

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Department of Agriculture (USDA)
Food Safety and Inspection Service (FSIS)

RIN: 0583-AD34

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Title: Notification, Documentation, and Recordkeeping Requirements for Inspected Establishments

Abstract: The Food Safety and Inspection Service (FSIS) has proposed to require establishments subject to inspection under the Federal Meat Inspection Act and the Poultry Products Inspection Act to promptly notify the Secretary of Agriculture that an adulterated or misbranded product received by or originating from the establishment has entered into commerce, if the establishment believes or has reason to believe that this has happened. FSIS has also proposed to require these establishments to: (1) Prepare and maintain current procedures for the recall of all products produced and shipped by the establishment and (2) document each reassessment of the process control plans of the establishment.

Priority: Other Significant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 9 CFR 417.4; 9 CFR 418 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 21 USC 612 to 613; 21 USC 459

Legal Deadline: None

Regulatory Plan:

Statement of Need: The Food, Conservation, and Energy Act of 2008 (Pub. L. 110-246, sec. 11017), known as the 2008 Farm Bill, amended the Federal Meat Inspection Act (FMIA) and the Poultry Products Inspection Act (PPIA) to require establishments subject to inspection under these Acts to promptly notify the Secretary that an adulterated or misbranded product received by or originating from the establishment has entered into commerce, if the establishment believes or has reason to believe that this has happened. Section 11017 also requires establishments subject to inspection under the FMIA and PPIA to: (1) Prepare and maintain current procedures for the recall of all products produced and shipped by the establishment and (2) document each reassessment of the process control plans of the establishment.

Legal Basis: 21 U.S.C. 612 and 613; 21 U.S.C. 459, and Public Law 110-246, section 11017.

Alternatives: The option of no rulemaking is unavailable.

Costs and Benefits: Approximate costs: \$5.0 million for labor and costs; \$5.2 million for first-year costs; \$0.7 million average costs adjusted with a 3.0 percent inflation rate for following years. Total approximate costs: \$10.2 million. The average cost of this final rule to small entities is expected to be less than 1/10 of 1 cent of meat and poultry food products per annum. Therefore, FSIS has determined that this rule will not have a significant economic impact on a substantial number of small entities. Approximate benefits: Benefits have not been monetized because quantified data on benefits attributable to this final rule are not available. Non-monetary benefits include improved protection of the public health, improved HACCP plans, and improved recall effectiveness.

Risks: In preparing regulations on the shipment of adulterated meat and poultry products by meat and poultry establishments, the preparation and maintenance of procedures for recalled products produced and shipped by establishments, and the documentation of each reassessment of the process control plans by the establishment, the Agency considered any risks to public health or other pertinent risks associated with these actions.

Timetable:

Action	Date	FR Cite
NPRM	03/25/2010	75 FR 14361
NPRM Comment Period End	05/24/2010	
Final Action	04/00/2012	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: Business

Federalism: No

Energy Affected: No

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Department of Agriculture (USDA)
Food Safety and Inspection Service (FSIS)

RIN: 0583-AD43

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Title: Common or Usual Name for Raw Meat and Poultry Products Containing Added Solutions

Abstract: FSIS is proposing to amend its regulations to establish a common or usual name for raw meat and poultry products to which solutions have been added (known as "enhanced products") that do not meet codified standard of identity regulations. The Agency is proposing that the common or usual name for such products include an accurate description of the raw meat or poultry component, the percentage of added solution incorporated into the product, and the individual ingredients or multi-ingredient components in the solution listed in descending order of prominence by weight. FSIS is also proposing that the print for all words in the common or usual name appear in a single font size, color, and style of print and that the name appear on a single-color contrasting background. The Agency is also proposing to remove the standard of identity for "ready-to-cook poultry products to which solutions are added."

Priority: Other Significant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 9 CFR 317.2 (e); 9 CFR 381.117 (h) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

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

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	07/27/2011	76 FR 44855
Final Action	09/00/2012	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: Business

Federalism: No

Energy Affected: No

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Department of Agriculture (USDA)
Food Safety and Inspection Service (FSIS)

RIN: 0583-AC83

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Title: Classes of Poultry; Updating Poultry Class Standards

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.

Priority: Other Significant

Agenda Stage of Rulemaking: Long-term Action

Major: No

Unfunded Mandates: No

CFR Citation: 9 CFR 381.170(a) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 21 USC 451**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	09/29/2003	68 FR 55902
NPRM Comment Period End	02/09/2004	
Second NPRM	07/13/2009	74 FR 33374
Second NPRM Comment Period End	09/11/2009	
Final Rule	11/03/2011	76 FR 68058
Final Rule Effective	01/01/2014	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** Business**Federalism:** No**Energy Affected:** No**Agency Contact:** Rosalyn Murphy-Jenkins

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Department of Agriculture (USDA)**Food Safety and Inspection Service (FSIS)****RIN:** 0583-AD36 [View Related Documents](#)**Title:** Mandatory Inspection of Catfish and Catfish Products

Abstract: The Food, Conservation, and Energy Act of 2008 (Pub. L. 110-246, sec. 11016), known as the 2008 Farm Bill, amended the Federal Meat Inspection Act (FMIA) to make catfish an amenable species under the FMIA. Amenable species must be inspected, so this rule will define inspection requirements for catfish. The regulations will define "catfish" and the scope of coverage of the regulations to apply to establishments that process farm-raised species of catfish and to catfish and catfish products. The regulations will take into account the conditions under which the catfish are raised and transported to a processing establishment.

Priority: Economically Significant**Agenda Stage of Rulemaking:** Long-term Action**Major:** Yes**Unfunded Mandates:** No**CFR Citation:** 9 CFR ch III, subchapter F (new) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 21 USC 601 et seq; PL 110-249, sec 11016**Legal Deadline:**

Action	Source	Description	Date
Other	Statutory	Final regulations NLT 18 months after enactment of PL 110-246	12/00/2009

Timetable:

Action	Date	FR Cite
Next Action Undetermined		
NPRM	02/24/2011	76 FR 10433
NPRM Comment Period End	06/24/2011	

Regulatory Flexibility Analysis Required: Business**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**International Impacts:** This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.**Agency Contact:** Dr. Daniel L. Engeljohn

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Department of Agriculture (USDA)
Food Safety and Inspection Service (FSIS)

RIN: 0583-AD01

 [View Related Documents](#)

Title: Addition of Mexico to the List of Countries Eligible for the Importation of Slaughtered (Fresh) Poultry

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

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 9 CFR 381 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: Poultry Products Inspection Act

Legal Deadline: None

Timetable:

Action	Date	FR Cite
End Review	08/15/2011	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: Business

Federalism: No

Energy Affected: No

International Impacts: This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.

Related RINs: Duplicate of 0583-AC92

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Department of Agriculture (USDA)
Food Safety and Inspection Service (FSIS)

RIN: 0583-AD37

 [View Related Documents](#)

Title: Federal-State Interstate Shipment Cooperative Inspection Program

Abstract: FSIS has published regulations to implement a new voluntary Federal-State cooperative inspection program under which State-inspected establishments with 25 or fewer employees would be eligible to ship meat and poultry products in interstate commerce. State-inspected establishments selected to participate in this program will be required to comply with all Federal standards under the Federal Meat Inspection Act (FMIA) and the Poultry Products Inspection Act (PPIA). These establishments will receive inspection services from State inspection personnel that have been trained and certified to assist with enforcement of the FMIA and PPIA. Meat and poultry products produced under the program that have been inspected and passed by selected State-inspection personnel will bear a Federal mark of inspection. FSIS is promulgated these regulations in response to the Food, Conservation, and Energy Act, enacted on June 18, 2008 (the 2008 Farm Bill). Section 11015 of 2008 Farm Bill provides for the interstate shipment of State-inspected meat and poultry product from selected establishments and requires that FSIS promulgate implementing regulations no later than 18 months from the date of its enactment.

Priority: Other Significant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 9 CFR 321, 332, and 381 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: PL 110-246, sec 11015

Legal Deadline:

Action	Source	Description	Date
Other	Statutory		12/18/2009

Timetable:

Action	Date	FR Cite
NPRM	09/16/2009	74 FR 47648
NPRM Comment Period End	12/16/2009	
Final Action	05/22/2011	76 FR 24714
Final Action Effective	07/01/2011	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal; State**Federalism:** Yes**Energy Affected:** No**Agency Contact:** Rachel Edelstein

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Department of Agriculture (USDA)**Food Safety and Inspection Service (FSIS)****RIN:** 0583-AD42 [View Related Documents](#)**Title:** Changes to the Schedule of Operations Regulations**Abstract:** FSIS is proposing to amend the meat, poultry products, and egg products regulations pertaining to the schedule of operations.**Priority:** Other Significant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 9 CFR 307, 381, and 590 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 21 USC 601; 21 USC 451**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	08/09/2010	75 FR 47726
NPRM Comment Period End	09/08/2010	
Final Action	06/10/2011	76 FR 33974
Final Action Effective	07/11/2011	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Rachel Edelstein

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Department of Agriculture (USDA)**Food and Nutrition Service (FNS)****RIN:** 0584-AD84 [View Related Documents](#)**Title:** Simplified Cost Accounting and Other Actions To Reduce Paperwork in the Summer Food Service Program**Abstract:** Section 738 of the Consolidated Appropriations Act, 2008, (Pub. L. 110-161), extends simplified cost accounting