

Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF AGRICULTURE

Office of the Secretary

7 CFR Part 20

Export Reporting for Meat and Meat Products

AGENCY: Foreign Agricultural Service, USDA.

ACTION: Extension of comment period for advance notice of proposed rulemaking.

SUMMARY: On November 14, 1996, the U.S. Department of Agriculture (USDA) published an advance notice of proposed rulemaking (Federal Register: November 14, 1996, Volume 61, Number 221, page 58343-58345) soliciting comments and views on a proposal to require reporting of export sales of meat (including poultry meat) and meat products. The proposal responded to a recommendation by the USDA Advisory Committee on Agricultural Concentration. This notice required that comments be received on or before January 13, 1997, to be assured of consideration. Under the proposal, firms involved in exporting meat products could be required to report detailed information on these sales to the Department on a weekly basis.

DATES: *Revised comment period.* The comment period is extended for 30 days and comments should be received on or before February 12, 1997, to be assured of consideration.

ADDRESSES: Comments should be sent to: Export Sales Reporting Branch, Trade and Economic Analysis Division, Room 5959—Stop 1025, Foreign Agricultural Service, U.S. Department of Agriculture, 1400 Independence Ave. SW, Washington, DC 20250-1025. All written comments received will be available for public inspection at the above address during business hours from 8:00 a.m. to 5:00 p.m., Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Thomas B. McDonald, Jr., Chief, Export Sales Reporting Branch, Trade and

Economic Analysis Division, Foreign Agricultural Service, U.S. Department of Agriculture, (202) 720-3273, FAX (202) 690-3275.

Signed at Washington, D.C. December 18, 1996.

August Schumacher, Jr.,

Administrator, Foreign Agricultural Service.

[FR Doc. 96-32909 Filed 12-26-96; 8:45 am]

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Food Safety and Inspection Service

9 CFR Part 381

[Docket No. 96-007P]

RIN 0583-AC17

Use of Two Kinds of Poultry Without Label Change

AGENCY: Food Safety and Inspection Service, USDA.

ACTION: Proposed rule.

SUMMARY: In response to a petition, the Food Safety and Inspection Service (FSIS) is proposing to amend the poultry products inspection regulations by adding a provision that would permit manufacturers of poultry products to interchange the amounts and kinds of poultry present in a product without requiring new labels for each formulation. This provision would apply in situations where two kinds of poultry make up at least 70 percent of the poultry and poultry ingredients used in the product formulation, and neither of the two kinds of poultry used constitutes less than 30 percent of the poultry and poultry ingredients used. In these situations, one label with the word "and" instead of a comma between the declaration of the kinds of poultry in the ingredients statement would indicate to consumers that the order of predominance of the two kinds of poultry may be interchanged. This action would provide consistent provisions for both meat and poultry products.

DATES: Comments must be received on or before: February 25, 1997.

ADDRESSES: Send an original and two copies of comments to: FSIS Docket Clerk, Docket #96-007P, Room 3806-S, 1400 Independence Avenue, SW, Washington, DC 20250-3700. Reference materials cited in this document and any comments received will be available

for public inspection in the FSIS Docket Room from 8:30 a.m. to 1:00 p.m. and 2:00 p.m. to 4:30 p.m., Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Charles Edwards, Director, Facilities, Equipment, Labeling and Compound Review Division, Office of Policy, Program Development, and Evaluation; (202) 418-8900.

SUPPLEMENTARY INFORMATION:

Background

FSIS has been petitioned to amend the poultry products inspection regulations to add a provision that would permit poultry processors to interchange the kinds of poultry used to prepare a poultry product without requiring that the product label be changed to reflect the order of predominance of the kinds of poultry.

The Federal meat inspection regulations currently provide that when two meat ingredients comprise at least 70 percent of the meat and meat byproduct ingredients of a product formulation and when neither of the two meat ingredients constitutes less than 30 percent of the total weight of the meat and meat byproducts used, the meat ingredients may be interchanged in the product formula without a change being made in the ingredients statement, if the word "and" is used in lieu of a comma between the two meat ingredients in the ingredients statement (9 CFR 317.2(f)(1)(v)). (Meat byproduct ingredients are any parts of a meat carcass that are capable of use as human food other than meat.) For example, if a sausage is made with both beef and pork the proportions of beef can vary from 30 to 70 percent and the proportions of pork can vary from 30 to 70 percent, without necessitating a change in the product's ingredients statement. This provision was originally promulgated in response to an industry request to allow meat processors to utilize different amounts of meat ingredients without having to develop and maintain an inventory of labels with different ingredients statements. This provision permits processors to utilize whichever species of meat is the least expensive at the time the product is being produced. This provision, when promulgated for meat products, was not extended to poultry products because, at that time, the poultry industry was producing further processed poultry

products (such as poultry rolls and sausages) only on a very limited scale. Conditions in the poultry industry have changed since that time. Therefore, the petitioner requests that the labeling flexibility afforded to meat processors be available to poultry processors.

FSIS has determined that there is merit to the petitioner's request, and is proposing to amend the poultry products inspection regulations to add a provision to permit manufacturers of poultry products to interchange the amounts and kinds of poultry present in a product formulation without requiring new labels for each formulation. This provision would apply to those products in which at least 70 percent of the poultry and poultry ingredients portion comprises two kinds of poultry, and neither of the two kinds of poultry used in the product constitutes less than 30 percent of the poultry and poultry ingredients. (Poultry ingredients include such products as giblets, skin and/or fat in excess of natural proportions, and mechanically separated (kind)).

Executive Order 12988

This proposed rule has been reviewed under Executive Order 12988, Civil Justice Reform. If this proposed rule is adopted: (1) all State and local laws and regulations that are inconsistent with this rule will be preempted; (2) no retroactive effect will be given to this rule; and (3) administrative proceedings will not be required before parties may file suit in court challenging this rule.

Executive Order 12866 and the Regulatory Flexibility Act

This proposal has been determined to be not significant under Executive Order 12866 and, therefore, has not been reviewed by the Office of Management and Budget.

The Administrator has made an initial determination that this proposal will not have a significant impact on a substantial number of small entities, as defined by the Regulatory Flexibility Act (5 U.S.C. 601). The proposal would provide flexibility in the amount and kinds of poultry that may be used in a product formulation without having to change product labels.

Paperwork Requirements

Abstract: FSIS has reviewed the paperwork and recordkeeping requirements in this proposed rule. This proposed rule would permit establishments to interchange the amounts and kinds of poultry present in a product without having to change the product label. However, establishments wishing to take advantage of this provision would need to develop and

print labels which conform to the proposed rule.

Estimate of Burden: Meat and poultry establishments must develop product labels in accordance with the regulations. To receive approval of the labels, establishments must complete FSIS Form 7234-1. FSIS program employees review FSIS Form 7234-1 to ensure that information on the label complies with the regulations. FSIS estimates that it will take 60 minutes to design and develop a modified product label in accordance with the proposed regulations, and 15 minutes to prepare FSIS Form 7234-1 and submit it, along with the label, to FSIS or a label expeditor who will deliver the form and label to FSIS.

Respondents: Poultry establishments.

Estimated Number of Respondents: 50.

Estimated Number of Responses per Respondent: 2.

Estimated Total Annual Burden on Respondents: 125 hours.

Copies of this information collection assessment can be obtained from Lee Puricelli, Paperwork Specialist, Food Safety and Inspection Service, USDA, South Agriculture Building, Room 3812, Washington, DC 20250-3700.

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility; (b) the accuracy of the Agency's estimate of the burden of the collection of information including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on those who are to respond, including through use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology. Send comments to both Lee Puricelli, Paperwork Specialist, at the address provided above, and the Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20253.

Comments are requested by February 25, 1997. To be most effective, comments should be sent to OMB within 30 days of the publication date of this proposed rule.

List of Subjects

9 CFR Part 381

Poultry products inspection, Labeling.

For the reasons discussed in the preamble, FSIS is proposing to amend part 381 of the poultry products inspection regulations (9 CFR part 381) as follows:

PART 381—POULTRY PRODUCTS INSPECTION REGULATIONS

1. The authority citation for part 381 would continue to read as follows:

Authority: 7 U.S.C. 138f; 7 U.S.C. 450; 21 U.S.C. 451-470; 7 CFR 2.18, 2.53.

2. Section 381.118 would be amended by adding a new paragraph (f) to read as follows:

§ 381.118 Ingredients statement.

* * * * *

(f) Establishments may interchange the identity of two kinds of poultry (e.g., chicken and turkey) used in a product formulation without changing the product's ingredients statement under the following conditions: the two kinds of poultry used must comprise at least 70 percent by weight of the poultry and poultry ingredients (e.g., giblets, skin and/or fat in excess of natural proportions, or mechanically separated (kind)) used, and neither of the two kinds of poultry used can be less than 30 percent by weight of the total poultry and poultry ingredients used. The word "and" in lieu of a comma must be shown between the declaration of the two kinds of poultry in the ingredients statement.

Done at Washington, DC, on: December 17, 1996.

Thomas J. Billy,

Administrator.

[FR Doc. 96-32853 Filed 12-26-96; 8:45 am]

BILLING CODE 3410-DM-P

FEDERAL RESERVE SYSTEM

12 CFR Part 203

[Regulation C; Docket No. R-0951]

Home Mortgage Disclosure

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Proposed rule.

SUMMARY: The Board is publishing for comment proposed revisions to Regulation C (Home Mortgage Disclosure). The revisions would implement the amendments to the Home Mortgage Disclosure Act included in the Economic Growth and Regulatory Paperwork Reduction Act of 1996. Those amendments increase the exemption threshold for depository institutions and modify certain