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DEPARTMENT OF AGRICULTURE

Food Safety and Inspection Service

9 CFR Part 417

[Docket No. 98-006N]

HACCP Plan Requirements and Meat and Poultry Product Processing Categories; Policy Clarification

AGENCY: Food Safety and Inspection Service.

ACTION: Policy clarification.

SUMMARY: The Food Safety and Inspection Service (FSIS) is publishing this document to clarify its policy in regard to HACCP (Hazard Analysis and Critical Control Points) requirements for meat and poultry establishments producing either multiple products that fall within a single processing category or single products that pass through multiple processing categories.

DATES: Comments must be received on or before June 1, 1998.

ADDRESSES: Submit one original and two copies of written comments to FSIS Docket Clerk, Docket #98-006N, U.S. Department of Agriculture, Food Safety and Inspection Service, Room 102, Cotton Annex, 300 12 St., SW, Washington, DC 20250-3700. All comments submitted in response to this document will be available for public inspection in the Docket Clerk's Office between 8:30 a.m. and 4:30 p.m., Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Patricia F. Stofa, Assistant Deputy Administrator, Regulations and Inspection Methods, Food Safety and Inspection Service, U.S. Department of Agriculture (202) 205-0699.

SUPPLEMENTARY INFORMATION:

Background

On July 25, 1996, FSIS published a final rule establishing new requirements

intended to improve the safety of meat and poultry products and facilitate the modernization of USDA's meat and poultry inspection system ("Pathogen Reduction; Hazard Analysis and Critical Control Point (HACCP) Systems"; 61 FR 38806). The final rule requires all official meat and poultry establishments to implement HACCP, a science-based process control system. Under the new regulations, all official establishments are responsible for developing and implementing HACCP plans incorporating the controls necessary and appropriate to ensure that their meat or poultry products are safe.

HACCP is a flexible system that enables establishments to develop and implement control systems customized to the nature and volume of their production. Accordingly, FSIS has promulgated regulatory requirements meant to provide meat and poultry establishments with the maximum flexibility for developing and implementing HACCP plans. FSIS is publishing this notice to clarify the regulatory requirements for establishments that wish to develop and implement a single HACCP plan for multiple, similar products or for a single product that passes through multiple processing categories.

Under § 417.2, paragraph (a) of the HACCP requirements, FSIS requires meat and poultry establishments to conduct a hazard analysis to determine what food safety hazards are reasonably likely to occur in the production process and identify the preventive measures it can apply to control those hazards. Whenever a hazard analysis reveals that one or more food safety hazards are reasonably likely to occur, FSIS requires that each establishment develop and implement a written HACCP plan covering each product produced by that establishment. Further, FSIS specifically requires that establishments develop HACCP plans for products that fall into the following processing categories:

- (i) Slaughter—all species.
- (ii) Raw product—ground.
- (iii) Raw product—not ground.
- (iv) Thermally processed—commercially sterile.
- (v) Not heat treated—shelf stable.
- (vi) Heat treated—shelf stable.
- (vii) Fully cooked—not shelf stable.
- (viii) Heat treated but not fully cooked—not shelf stable.
- (ix) Product with secondary inhibitors—not shelf stable.

Section 417.2(b)(2) states "A single HACCP plan may encompass multiple products within a single processing category identified in this paragraph, if the food safety hazards, critical control points (CCP's), critical limits, and procedures required to be identified and performed * * * are essentially the same, provided that any required features of the plan that are unique to a specific product are clearly delineated in the plan and are observed in practice." Many meat and poultry establishments, especially processing establishments, manufacture numerous products that have most of their processing steps in common. Allowing a single HACCP plan for such products was intended to simplify and improve both compliance and inspection.

For example, an establishment producing both ready-to-eat corned beef and ready-to-eat roast beef could develop and implement a single HACCP plan for both products. The HACCP plan would identify the common CCP's and critical limits (cooking and cooling product in accordance with time/temperature combinations predetermined by the establishment), as well as any processing differences (the corned beef would undergo a curing step). In this example, compliance with HACCP requirements is simplified, and it is probably more efficient and cost-effective to develop and implement a single HACCP plan for the two products than to produce two separate plans. Inspection is also improved and simplified because FSIS inspection personnel can more efficiently and effectively review a single, unified HACCP plan.

In this document, FSIS also is clarifying that meat and poultry establishments may develop a single HACCP plan for a single product that passes through multiple processing categories. It is likely that such HACCP plans would be developed and implemented, for the most part, by establishments that both slaughter (category (i)) and process (categories (ii) through (ix)) meat or poultry. For example, there are numerous establishments that slaughter, grind, and package meat for retail sale. There also are numerous establishments that slaughter, cut up, and package poultry for retail sale. Many of these and similar establishments probably will choose to develop and implement a single HACCP

plan covering both slaughter and processing. Developing and implementing a single HACCP plan for a single product often would be more efficient and cost effective than producing two plans (one for slaughter and one for processing). In many cases, FSIS inspection personnel will be able to more efficiently and effectively review a single HACCP plan that covers all of the processing (including slaughter) within a meat or poultry establishment.

Done in Washington, DC: March 18, 1998.

Thomas J. Billy,

Administrator, Food Safety Inspection Service.

[FR Doc. 98-8432 Filed 3-31-98; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

10 CFR Parts 1, 2, 4, 7, 9, 15, 16, 76, and 110

RIN 3150-AF89

Statement of Organization and General Information; Minor Amendments

AGENCY: Nuclear Regulatory Commission.

ACTION: Final rule.

SUMMARY: The Nuclear Regulatory Commission is revising its statement of organization and general information to reflect the creation of the Office of the Chief Financial Officer (OCFO) and the Office of the Chief Information Officer (OCIO), the reorganization of the Office of Administration (ADM), and other minor changes. These amendments are necessary to inform the public of administrative changes within the NRC.

EFFECTIVE DATE: April 1, 1998.

FOR FURTHER INFORMATION CONTACT:

David L. Meyer, Chief, Rules and Directives Branch, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone (301) 415-7162, e-mail: dlm1@nrc.gov.

SUPPLEMENTARY INFORMATION: On January 5, 1997, the Commission announced the creation of the OCFO and the OCIO. These offices report directly to the Chairman. These offices were established pursuant to the Chief Financial Officers Act of 1990 and the Clinger-Cohen Act of 1996, respectively. The responsibilities and functions of their predecessor organizations that reported to the Executive Director for Operations (EDO) were transferred to these offices, respectively. Accordingly, the Office of the Controller and the

Office of Information Resources Management were abolished. In addition, publications, graphics, printing, and Freedom of Information Act and Privacy Act functions were transferred from the Office of Administration (ADM) to the OCIO.

This final rule also notes the name change of the Office of Personnel to the Office of Human Resources and other minor administrative changes.

Because these amendments deal with agency practice and procedures, the notice and comment provisions of the Administrative Procedure Act do not apply pursuant to 5 U.S.C. 553(b)(A). The amendments are effective upon publication in the **Federal Register**. Good cause exists to dispense with the usual 30-day delay in the effective date because these amendments are of a minor and administrative nature, dealing with the agency's reorganization.

Environmental Impact: Categorical Exclusion

The NRC has determined that this final rule is the type of action described in categorical exclusion 10 CFR 51.22 (c) (2). Therefore, neither an environmental impact statement nor an environmental assessment has been prepared for this final rule.

Paperwork Reduction Act Statement

This final rule contains no information collection requirements and, therefore, is not subject to the requirements of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

List of Subjects

10 CFR Part 1

Organization and functions (Government agencies)

10 CFR Part 2

Administrative practice and procedure, Antitrust, Byproduct material, Classified information, Environmental protection, Nuclear materials, Nuclear power plants and reactors, Penalties, Sex discrimination, Source material, Special nuclear material, Waste treatment and disposal.

10 CFR Part 4

Administrative practice and procedure, Blind, Buildings, Civil rights, Employment, Equal employment opportunity, Federal aid programs, Grant programs, Handicapped, Loan programs, Reporting and recordkeeping requirements, Sex discrimination.

10 CFR Part 7

Advisory committees, Sunshine Act.

10 CFR Part 9

Criminal penalties, Freedom of Information, Privacy, Reporting and recordkeeping requirements, Sunshine Act.

10 CFR Part 15

Administrative practice and procedure, Debt collection.

10 CFR Part 16

Administrative practice and procedure, Debt collection.

10 CFR Part 76

Certification, Criminal penalties, Radiation protection, Reporting and recordkeeping requirements, Security measures, Special nuclear material, Uranium enrichment by gaseous diffusion.

10 CFR Part 110

Administrative practice and procedure, Classified information, Criminal penalties, Export, Import, Intergovernmental relations, Nuclear materials, Nuclear power plants and reactors, Reporting and recordkeeping requirements, Scientific equipment.

For the reasons set out in the preamble and under the authority of the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, as amended, and 5 U.S.C. 552 and 553, the NRC is adopting the following amendments to 10 CFR parts 1, 2, 4, 7, 9, 15, 16, 76, and 110.

PART 1—STATEMENT OF ORGANIZATION AND GENERAL INFORMATION

1. The authority citation for part 1 continues to read as follows:

Authority: Secs. 23, 161, 68 Stat. 925, 948, as amended (42 U.S.C. 2033, 2201); sec. 29, Pub. L. 85-256, 71 Stat. 579, Pub. L. 95-209, 91 Stat. 1483 (42 U.S.C. 2039); sec. 191, Pub. L. 87-615, 76 Stat. 409 (42 U.S.C. 2241); secs. 201, 203, 204, 205, 209, 88 Stat. 1242, 1244, 1245, 1246, 1248, as amended (42 U.S.C. 5841, 5843, 5844, 5845, 5849); 5 U.S.C. 552, 553; Reorganization Plan No. 1 of 1980, 45 FR 40561, June 16, 1980.

2. In § 1.3, paragraph (c), the first sentence is revised to read as follows:

§ 1.3 Sources of additional information.

* * * * *

(c) Information regarding the availability of NRC records under the Freedom of Information Act and the Privacy Act of 1974 may be obtained from the Information Management Division, Office of the Chief Information Officer * * *.