Signed at Washington, DC., April 18, 1996.

Susan Offutt,

Administrator, Economic Research Service.

[FR Doc. 96–11298 Filed 5–6–96; 8:45 am]

BILLING CODE 3410–18–M

Food Safety and Inspection Service

[Docket No. 96–012N]

Interstate Shipment of State-inspected Meat and Poultry Products

AGENCY: Food Safety and Inspection Service, USDA.

ACTION: Notice; request for public comments.

SUMMARY: The 1996 Farm Bill requires the Secretary of Agriculture to submit to Congress, by July 3, 1996, recommendations concerning the steps necessary to achieve interstate shipment of State-inspected meat and poultry products. Under the Federal Meat Inspection Act (FMIA) and the Poultry Products Inspection Act (PPIA), products inspected under State programs ''at least equal to'' the Federal inspection program may be distributed only within State boundaries. FSIS is requesting comment from the public on which issues need to be addressed in responding to the Congressional directive to make recommendations concerning the interstate shipment of State-inspected products. Possible issues include, but are not limited to: the safety, wholesomeness, and labeling of State-inspected products; recall responsibilities; the administration of State programs; the funding of Federal oversight of State inspection programs; the funding of Federal assistance to State inspection programs; jurisdictional complications; eligibility of such products for export; and economic effects. The Agency plans to use these comments in formulating its recommendations to Congress concerning State-inspected meat and poultry products.

DATES: Comments must be received on or before June 6, 1996.

ADDRESSES: Please send an original and two copies of written comments to Policy, Evaluation and Planning Staff, Attn: FSIS Docket Clerk, DOCKET No. 96–012N, Room 4352 South Building, Food Safety and Inspection Service, U.S. Department of Agriculture, Washington, DC 20250.

FOR FURTHER INFORMATION CONTACT: Mr. Patrick Clerkin, Office of the Administrator, Food Safety and Inspection Service, U.S. Department of Agriculture, Washington, DC 20250; Code (202) 205–0700.

SUPPLEMENTARY INFORMATION:

1996 Farm Bill Provision

Section 918(b) of the Federal Agriculture Improvement and Reform Act of 1996 (PL 104–127; known as the 1996 Farm Bill), which was signed into law April 4, 1996, requires that, not later than 90 days after enactment of the Farm Bill, or by July 3, 1996, the Secretary of Agriculture submit a report to Congress concerning the steps necessary to achieve interstate shipment of meat and poultry products inspected under State programs that are ''at least equal to'' the Federal inspection programs. Under the current Federal meat and poultry inspection laws, such products may be distributed solely within the States in which they are prepared.

Background

Under the Federal Meat Inspection Act (FMIA; 21 U.S.C. 601 *et seq.*) and the Poultry Products Inspection Act (PPIA; 21 U.S.C. 451 *et seq.*), FSIS is responsible for ensuring that meat, meat food, and poultry products distributed in interstate and foreign commerce are safe, wholesome, not adulterated, and properly marked, labeled, and packaged.

FSIS currently conducts antemortem and postmortem inspection of livestock and poultry at slaughtering establishments, inspects further-processed meat and poultry products, inspects the sanitary conditions of facilities where meat and poultry products are produced, and certifies U.S. products for export to foreign countries. FSIS investigates violations of the inspection laws and violative products are controlled through detentions, civil seizures and voluntary recalls.

FSIS inspection is supported by laboratory services in the fields of chemistry, microbiology, serology, and pathology. An important laboratory-supported function is the National Residue Program, which is designed to help prevent the distribution in commerce of products containing illegal concentrations of drugs, pesticides, and other chemicals. FSIS also carries out microbiological surveys to determine pathogen levels in raw meat and poultry and special microbiological studies and surveillance of raw and processed products. An example of this is the testing of raw ground beef for the presence of *E. coli* O157:H7.

FSIS operates a compliance program aimed at ensuring that meat and poultry products in commerce are not adulterated or misbranded. Through this program, the Agency exercises regulatory authority over businesses that transport, store, or distribute meat and poultry products in interstate commerce after those products leave federally inspected establishments. The Agency also registers meat or poultry brokers, renderers, manufacturers, or wholesalers, or others dealing in meat or poultry products that are not intended for human consumption.

FSIS also maintains a comprehensive import inspection system. That system involves two major activities, the first being oversight to ensure that exporting countries have in place appropriate controls over their meat and poultry inspection systems. Such countries (1) must undergo a rigorous review process before they can become eligible to export meat and poultry to the United States and (2) must receive periodic reviews by FSIS to maintain such eligibility. Only plants operating under FSIS approved national inspection programs may qualify to export meat and poultry products into the United States. Meat and poultry products inspected under regional or provincial (i.e., state) inspection programs in foreign countries are *not* eligible for export to the United States.

The second part of our import control program is reinspection at the port of entry, on a sample basis, of meat and poultry products as they enter the United States. Reinspection is a check to make sure that the foreign country's inspection system is working. Seventy-four import inspection personnel carry out import reinspection at approximately 160 official import establishments.

The program for determining the eligibility of a foreign country to export to the United States is based on a systems approach. FSIS focuses on a country's overall inspection system as a means of ensuring consumer protection. For instance, the Agency examines whether the country has the legal authority to impose requirements equivalent to those of the United States in areas such as sanitation and antemortem and postmortem inspection. We examine the organizational structure and staffing of its inspection program. We also conduct on-site reviews of the country's inspection operations to evaluate the effectiveness of all aspects of the country's program.

Once a country becomes eligible, FSIS conducts on-site reviews of its inspection system—usually one or more times a year. The frequency of the reviews is determined by a country's performance history, including previous plant reviews as well as product reinspection at United States ports-of-entry. If a country does not continue to operate an inspection system that

complies with all FSIS requirements, it is removed from the list of countries eligible to export to the United States.

FSIS port-of-entry inspection is a further check on the effectiveness of the foreign country's inspection system. It should be emphasized that reinspection is carried out on products that have already passed the foreign country's inspection and been certified as meeting all U.S. requirements by the exporting country.

USDA import inspectors, using an automated system, examine each lot of product for general condition, proper labeling, and proper certification that the products comply with all U.S. regulatory requirements. In addition, based on a plant's history of compliance with inspection requirements, the nature of the product, and the size of the shipment, the automated system generates an inspection plan for each shipment that may identify additional inspection tasks. The system applies a statistical sampling plan to each lot of product presented for reinspection. Selected reinspection tasks could include detailed product examination; net weight verification; container condition review; product label examination; species testing; and laboratory analyses for food chemistry, residues, and microbial contamination. In addition, import inspectors can take additional samples whenever they suspect a problem. Daily reinspection results from all ports-of-entry are entered and stored in the system, continuously updating the compliance histories for every foreign establishment exporting to the United States.

The FMIA (at 7 U.S.C. 661) and the PPIA (at 7 U.S.C. 454) authorize the Secretary of Agriculture to cooperate with the States in their development and administration of meat and poultry inspection programs that impose requirements for mandatory antemortem and postmortem inspection and establishment sanitation, and requirements governing the preparation of further-processed products, that are ''at least equal to'' the corresponding Federal requirements. Products produced for human food and inspected under ''equal-to'' State programs are limited by Federal law to intrastate distribution. The Acts further authorize the Secretary to cooperate with the States in administering compliance programs under authorities that are ''at least equal to'' those provided by Title II of the FMIA (21 U.S.C. 641–645) or Section 11 of the PPIA (21 U.S.C. 460).

FSIS has signed State-Federal cooperative agreements with States that have chosen to operate their own inspection programs; with separate agreements on compliance-related matters. Under these agreements, FSIS provides advice and technical assistance to the States and funds up to 50 percent of the cost of operating the State programs. Technical assistance activities include providing routine training of State inspection personnel at the FSIS training center, providing special training when new inspection systems are introduced, and helping State laboratories with problems requiring specialized expertise. Federal and State compliance personnel are trained together at the Federal Law Enforcement Training Center.

If, for any reason, a State fails to develop or maintain and enforce effective inspection requirements that are ''at least equal to'' those of the Federal program, USDA is required to designate the State for Federal inspection. In designated States, all establishments wishing to engage in commercial activities requiring inspection must apply to, and be approved by, FSIS for Federal inspection. Designation may also be applied to individual establishments, the meat portion of a State program, the poultry portion, or the entire program.

The FMIA and PPIA provisions for ''equal-to'' State inspection programs were introduced by the 1967 Wholesome Meat Act (WMA) and the 1968 Wholesome Poultry Products Act (WPPA), which provided numerous amendments to the Meat Inspection Act of 1906 and the Poultry Products Inspection Act of 1957. The amendments relating to State programs were prompted mainly by concern over the potential for distribution to the consumer of unwholesome or adulterated meat and poultry products because of the absence of mandatory inspection for products produced and sold within States and localities. The original inspection laws had provided for mandatory Federal inspection of products in interstate commerce but not of products distributed solely within a State. At the time the WMA and WPPA were passed, up to 25 percent of meat food products and 13 percent of poultry products were produced without Federal inspection coverage and, if inspected at all, were subject to widely varying State and local standards.

The WMA and WPPA extended inspection coverage to thousands of establishments that had not been previously subject to Federal standards or ''equal-to'' State standards. Many of the establishments affected were smaller facilities, some located in remote areas, which produced small quantities of meat, meat food, or poultry products. In presenting the WMA to the Senate, the Senate Committee on Agriculture and Forestry (Senate Report No. 799, Nov. 21, 1967) expressed the view that some of the Federal standards for plant construction were unrealistic for some small facilities, and encouraged USDA to consider basing the eligibility of an establishment for inspection on a combined evaluation of the operating procedures used by the establishment and the building construction and physical facilities rather than upon a separate evaluation of these factors. If the operating procedures were patterned so as to ensure the sanitary handling of products within the establishment and result in wholesome food, the establishment could be declared eligible for Federal inspection. However, the Senate report emphasized that State requirements concerning wholesomeness, additives, labeling, and other regulations were not to be compromised and had to be at least equal to Federal standards. The WPPA accommodated small establishments by authorizing USDA to exempt from inspection establishments handling 20,000 or fewer birds per year to be distributed solely within a State and by providing other exemptions.

Growth and Development of the State-Federal Cooperative Inspection Program

Following the enactment of the WMA and the WPPA, many States opted for designation rather than fund the necessary improvements to meet the ''equal-to'' provisions of the Acts. From 1971 to 1981, 23 States and four Territories were designated, primarily because of an inability to fund the programs. Four States chose to designate the poultry inspection branches of their programs, but retained the meat inspection branches. USDA monitored and reviewed the remaining 27 meat or meat and poultry inspection programs, and issued annual certifications that the programs were meeting the ''equal-to'' requirements, as provided in the Acts. At present, 26 States have active programs, 24 covering both meat and poultry inspection and 2 covering meat only.

During the 1970's and 1980's, the Federal approach to oversight of State programs changed. Initially, FSIS provided training and guidance to assist the States in applying the national standards. Once the various State programs were able to demonstrate their ability to administer and maintain ''equal-to'' programs without Federal guidance, FSIS changed its oversight approach to one of monitoring and verification.

In exercising its oversight function, FSIS conducts a system review of each State's program. A system review involves a combined evaluation of the State's requirements, operations, and enforcement of its meat and poultry inspection laws. Each State maintaining an inspection program must keep on file with USDA an up-to-date State Performance Plan (SPP)[1]. The SPP, which is required by an FSIS directive and not by regulation, documents the existence of State laws, regulations, funding, workforce, laboratories, and other resources necessary for the State to operate an ''equal-to'' program. The SPP also describes operations and enforcement and how the State's program works in the particular environment of the State to ensure the integrity of meat and poultry products intended for intrastate sale, transportation, and use. The head of each State program must certify annually, in writing, that the program meets ''equal-to'' requirements.

Teams of subject matter experts from FSIS conduct comprehensive reviews of each State program every three-to-five years to verify adherence to SPP's. These reviews include random sampling of in-plant records and conditions. On a continuing basis, FSIS field officials work directly with State officials providing advice and assistance. When information from Federal officials in the field or from other sources leads FSIS to suspect deficiencies in State programs, FSIS conducts special reviews.

FSIS also exercises oversight of State compliance programs covering intrastate commerce in meat and poultry products intended for human food or other purposes to ensure that these programs are ''at least equal to'' the Federal compliance program. FSIS verifies that the laws and regulations covering compliance-related matters provide the State with authorities ''at least equal to'' those provided FSIS under the FMIA and PPIA. FSIS also ensures that State agencies have resources adequate to carry out effective compliance programs, including qualified personnel and adequate funding. State compliance programs must be effective in controlling products that are suspected of being adulterated or misbranded; in enforcing recordkeeping requirements and providing for necessary access to establishment facilities, records, and inventory; and in ensuring proper registration of meat or poultry brokers, renderers, manufacturers, wholesalers, or others dealing in meat or poultry products not intended for human consumption.

In addition, FSIS reviews State procedures for reporting violations of State meat and poultry inspection laws, initiating civil or criminal proceedings, documenting breakdowns in the State inspection system, and ensuring that the requirements for products not to be used for human food are observed.

External Reviews of FSIS Oversight of State Programs

The efficacy of FSIS reviews of State ''equal-to'' status has been questioned periodically by external reviewers. In 1983, the General Accounting Office (GAO) audited USDA's State oversight procedures to determine whether FSIS certification of State ''equal-to'' status conformed to the authorizing legislation. At the time, FSIS was basing its certification on a quarterly review and rating of individual State-inspected establishments. GAO reported that USDA's procedures were reasonable, but that the certification process lacked uniformity across regions.[2] GAO also noted that FSIS's internal reviews did not include regular assessments of State program oversight.

In response to the GAO Report, FSIS adopted a systems approach to reviewing and evaluating State inspection programs. This change resulted in the SPP requirement and the comprehensive reviews described above. FSIS chose this approach because it provided for long-range improvement, allowed States to assume more responsibility for program controls, broadened the scope of Federal oversight, and reduced Federal costs.

In January 1994, the Department's Office of Inspector General (OIG) reported, among other findings, that the Agency's comprehensive reviews did not address State program weaknesses in a number of areas, including establishment sanitation, inspection scheduling, and procedures for obtaining and handling laboratory samples.[3] OIG also questioned the consistency of FSIS reviews from region to region and the adequacy of follow-ups to verify that State corrective action plans resulting from FSIS comprehensive reviews were carried out. FSIS has taken some steps to address the deficiencies noted in the OIG report and continues to work on improvements.

The Interstate Shipment Issue

As stated above, the FMIA and PPIA, as amended by the WMA and the WPPA, permit State-inspected products to be shipped only in intrastate commerce. The Acts would have to be amended before State-inspected products could be distributed in interstate commerce.

In 1968, when Congress was deliberating on the WPPA, the issue of interstate shipment of State poultry products was debated at length. Congress rejected the proposal at that time. One reason was that allowing interstate shipment of State inspected poultry but not of red meat would create an unacceptable disparity between the red meat and poultry inspection programs. Congress left open the possibility of future consideration of the interstate shipment issue after State meat and poultry inspection programs had been firmly established. Congress has considered amending the Acts to allow the interstate shipment of State-inspected products on a number of occasions since that time.

Issues to be Addressed

FSIS is requesting comments to be used in preparing its report to Congress on the interstate shipment issue as required by the 1996 Farm Bill. FSIS is, regrettably, setting a short time limit for submitting comments on this issue. However, the Farm Bill has set a 90-day timeframe within which the Agency must submit its recommendations to Congress.

In the view of FSIS, reporting on ''the steps necessary to achieve interstate shipment'' of State-inspected meat and poultry products, means, in part, addressing any issues arising from the States' Performance Plans. Concerning these issues, commenters should identify the factors that might weigh for or against permitting State-inspected products into interstate commerce and what steps would be necessary to address those factors. Commenters should specify whether such factors are generic to all establishment types or specific to slaughter establishments or to processing establishments. Some specific aspects of the current SPP's that may warrant focus include:

- Food safety
- Laboratory services and sampling
- Facility and equipment requirements
- Labeling
- Recall procedures

[1] Members of the public who are interested in reviewing a State's SPP may contact Dr. Robert Fetzner, Director, Federal-State Relations Staff, at (202) 720–6313, to arrange an appointment.

[2] A copy of the GAO report is on file in the FSIS Docket Room, Room 4352 South Agriculture Building, Washington DC 20250.

[3] A copy of the OIG report is on file in the FSIS Docket Room, Room 4352 South Agriculture Building, Washington, DC 20250.

Food Safety Issues: Current Inspection System

• What additional steps, if any, should be taken to provide full assurance to the Nation's consumers that State-inspected products produced under the current system of inspection meet the same standards of food safety and wholesomeness as Federal or foreign-inspected products?

• What modifications to the SPP's would be necessary to provide for the monitoring of each State's product in interstate commerce and for feedback to the State program?

Laboratory Services

• What improvements, if any, need to be made in State laboratory standards, sampling programs, or performance?

Establishment facility and equipment requirements

• What issues relating to establishments' facilities, equipment, and sanitation need to be considered, and how?

Marking and Labeling; Product Identification

• How should State-inspected product be identified in commerce? Should special marking or labeling requirements be imposed?

• What effect would permitting interstate shipment of State-inspected product have on the consumer's ability to determine whether a product or its ingredients had been inspected and would consumer confidence in the safety and quality of meat and poultry products be in any way affected?

Recall Procedures

• Which agency or agencies should exercise jurisdiction in cases involving the recall of a State-inspected product that may have been distributed to several other States?

• Could confusion over jurisdiction arise that could impede timely action to prevent the consumption of unsafe, adulterated products?

In addition to the issues arising from the SPP's, FSIS welcomes comments on other issues that could have a bearing on interstate shipment of State-inspected products. These issues include State implementation of HACCP-based inspection, interstate relations (including the refusal of one State to accept the products of another State), acceptance of product inspected under equivalent systems, the export of State-inspected product, economic effects, and the availability of resources for Federal assistance and oversight.

Administration of State Programs; HACCP

Commenters are invited to consider what additional challenges might arise with the adoption and implementation of ''Pathogen Reduction; HACCP'' regulations proposed by the Agency.

• Should interstate shipment of State-inspected products be authorized prior to the States' implementation of the HACCP and pathogen reduction regulations?

◆ Should interstate shipment of State-inspected products be authorized prior to FSIS's evaluation of States' operations under these adopted regulations?

◆ Is implementation of HACCP by the States a factor that should even be considered?

Interstate Relations

◆ What potential exists for States with conflicting standards to bring actions in Federal courts against firms located in other States or against the States in which such firms are located?

◆ If interstate shipment of State-inspected meat and poultry products is allowed, should there be some provision for all consumers in the States and Territories to participate in the rulemaking proceedings in any one of the States concerning such products?

◆ Should a State be able to refuse acceptance of another State's products? If so, under what conditions? What avenues of recourse are available to the State whose products are refused? What should be the FSIS role in such matters?

Acceptance of Product Inspected Under Equivalent Systems

Meat and poultry products prepared under foreign inspection systems that are equivalent to the Federal inspection system are allowed in interstate commerce. Foreign products that are shipped to the United States have been inspected and passed by a national inspection program that meets standards equivalent to those of this country's Federal program. These programs are subject to regular systems reviews by FSIS officials and, in addition, products imported to this country are subject to FSIS reinspection at points of entry before they are shipped in interstate commerce. Reinspection is a performance-based system; foreign establishments with better compliance histories have their products reinspected less frequently.

◆ Should the FSIS reinspection system for imported products be considered to provide the same level of assurance to the public that foreign-inspected products receive?

◆ If State-inspected products are allowed in interstate commerce without reinspection, should any other measures be considered?

◆ What resources would be necessary to carry out this inspection and from what source or sources should they be obtained?

Export of State-inspected Product

◆ Should State-inspected product be considered eligible for export? Why or why not? Under what conditions should export of State-inspected product be permitted?

◆ How would technical problems and trade issues be addressed? By whom would these problems and issues be addressed?

◆ How would costs be addressed?

◆ How would permitting the interstate shipment of State-inspected product affect the acceptability to foreign countries and importers of U.S.-export products generally?

◆ What agency or agencies would be responsible for certifying exports?

Economic Effects

The number of meat and poultry establishments under State inspection has been declining steadily in recent years. For example, in 1986, 3,707 meat or poultry establishments were operating under State inspection in 27 States, but by 1994 there were 2,904 such establishments in the same number of States.

Permitting interstate sale and distribution of State-inspected products could eliminate the incentives for holding a Federal grant of inspection rather than a State grant. This change could affect the economies of the Federal and State programs if it resulted in significant shifts of establishments between the Federal and State systems.

◆ Should the ability of an establishment to choose between Federal and State inspection be restricted in any way? Why?

◆ Would States be induced to compete with one another by marketing their inspection programs so as to influence company decisions on where to locate new or relocate existing meat and poultry establishments? If so, what would be the consequences for the States, for workers, for consumers?

◆ What would be the implications or consequences of allowing sales of State-inspected product to Federal establishments for further processing? Would this affect decisions by domestic or foreign buyers?

◆ What effect should permitting the interstate shipment of State-inspected product have on establishments where Federal inspection is performed by State

employees under Federal-State cooperative agreements, pursuant to the Talmadge-Aiken Act (7 U.S.C. 450)?

Availability of Resources for Federal Oversight of and Assistance to State Programs

A perennial question to be addressed is the availability of resources for appropriate Federal oversight of State programs to ensure that they are ''at least equal to'' the Federal program. The resource question is sometimes highlighted when the Agency's oversight of State programs undergoes external evaluation by GAO or OIG, as discussed above. Nevertheless, the ability of the Agency to meet the need for oversight of State programs will continue to be challenged by a scarcity of resources. This challenge is likely to be far greater than it is at present if State-inspected products are permitted to be shipped in interstate commerce, for the volume and geographical distribution of State-inspected products could be greater than they are now, and the handling of the products more complicated.

◆ What is the best way to ensure the continued provision of resources necessary for Federal oversight of State programs?

◆ What would be the effect on State resources of allowing interstate shipment of State-inspected product, especially if large numbers of establishments switch from Federal to State inspection?

◆ In addition, how should the financing of State programs be accomplished? Should USDA continue to pay up to half the cost of operating a State program?

◆ If a wider market were opened to State-inspected products, would sales volumes rise and would State economies be better able to support a larger share of program operations?

The foregoing list of issues is not intended to be inclusive; FSIS recognizes that commenters may suggest other issues and provide comments regarding them. FSIS welcomes comments on other issues related to interstate shipment of meat and poultry from State-inspected establishments.

Done, at Washington, D.C., on: May 3, 1996.

Michael R. Taylor,

Acting Under Secretary for Food Safety.

[FR Doc. 96–11456 Filed 5–3–96; 1:40 pm]

BILLING CODE 3510–12–M

DEPARTMENT OF COMMERCE

Submission For OMB Review; Comment Request

DOC has submitted to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35).

Agency: Bureau of the Census.

Title: Survey of Public Attitudes Toward Administrative Records Use.

Form Number(s): None –– Computer assisted telephone interview.

Agency Approval Number: None.

Type of Request: New collection.

Burden: 300 hours.

Number of Respondents: 1,200.

Avg Hours Per Response: 15 minutes.

Needs and Uses: The Census Bureau is testing the use of administrative records in the Census 2000 to estimate the characteristics of nonresponding households, supplement data for respondents that return incomplete forms, and estimate the number of persons missed within households. To enhance the usability of administrative record information, the Census Bureau is also considering asking respondents in the Census 2000 to provide their Social Security number (SSN). This survey asks respondents to rate their feelings and attitudes toward our use of administrative records and collecting SSN in the census. Knowledge about the public's feelings and attitudes will help the Census Bureau form privacy policy, achieve effective promotion and outreach, and determine language for public use forms.

Affected Public: Individuals.

Frequency: One time.

Respondent's Obligation: Voluntary.

OMB Desk Officer: Jerry Coffey, (202) 395–7314.

Copies of the above information collection proposal can be obtained by calling or writing Linda Engelmeier, Acting DOC Forms Clearance Officer, (202) 482–3272, Department of Commerce, Room 5312, 14th and Constitution Avenue, NW, Washington, DC 20230.

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to Jerry Coffey, OMB Desk Officer, Room 10201, New Executive Office Building, Washington, DC 20503.

Dated: April 29, 1996.

Linda Engelmeier,

Acting Departmental Forms Clearance Officer, Office of Management and Organization.

[FR Doc. 96–11259 Filed 5–6–96; 8:45 am]

BILLING CODE 3510–07–F

National Institute of Standards and Technology

[Docket No. 960405101–6101–0]

RIN 0693–XX17

Request To Identify Bodies Interested in European Union (EU) Conformity Assessment Activities

AGENCY: National Institute of Standards and Technology, Commerce.

ACTION: Request for public comment.

SUMMARY: This is to advise the public that the National Institute of Standards and Technology (NIST) is seeking input regarding the identification of bodies which can perform conformity assessment of products that will ultimately be entered into commerce in the European union (EU). This information is requested in support of ongoing negotiations between the United States and the EU for mutual recognition of product approvals pursuant to regulatory requirements. At the present time, we wish to identify and report to the EU those U.S. organizations that believe that they are qualified and are interested in certifying products as being in compliance with mandatory EU product safety requirements, that is, U.S.-based organizations that desire to be recognized as equivalent to notified or competent body status under a U.S.-EU mutual recognition agreement (MRA), as specified in the EU directives covering telecommunications terminal equipment (TTE) (EEC 89/263), electromagnetic compatibility (EMC) (89/336), low voltage electrical equipment (LVD) (EEC 73/23), and recreational craft (EEC 94/25). The areas of present interest are the following: (1) Product testing and quality assessment; (2) quality system registration; (3) evaluation of technical construction files (specific to the EMC directive); and (4) product certification. Copies of the pertinent EU directives and related lists of reference standards are available at the U.S. Department of Commerce, Room 3042, Herbert C. Hoover Building, 14th and Constitution Avenue, Washington, D.C., or NIST, building 820, Room 164, Gaithersburg, Maryland.

Organizations are invited to inform NIST of their interest in carrying out any of the activities listed above under specific EU directives, indicating the scope of their claimed competence and identifying specific standards, test methods, etc. Organizations should note current accreditation by a recognized national, regional or international accreditation body to a recognized or international standard and, if possible,