

Therefore, the Agencies would also use the information requested earlier in this document to help them conduct any risk assessment that may be needed. Especially useful would be information on the following for potentially hazardous foods: (1) The probability of occurrence of hazards in potentially hazardous foods at the beginning of transportation; (2) the hazards that could be introduced or spread during transportation, and the magnitude of these hazards; (3) the occurrence of factors such as improper cooling and temperature maintenance that could increase the probability and/or magnitude of microbial hazards; (4) the probability of occurrence of hazards in potentially hazardous foods at the end of the transportation segment; and (5) the probability of occurrence and magnitude of human foodborne illnesses that can be directly or indirectly attributed to the transportation of potentially hazardous food.

The Agencies also need information about the businesses that may be affected by any of the alternatives being considered in order to assess their potential costs and benefits on small entities under the RFA. Businesses of concern would include establishments that process and ship meat, poultry, eggs, seafood, and other potentially hazardous foods, motor freight companies, food storage warehousing operations, air freight companies, and water transport firms.

Under the Small Business Administration regulations, a small entity in the motor freight and warehousing category is one whose annual receipts are no greater than \$18.5 million. A small entity in the category that includes air freight or railroad transportation is one with no more than 1,500 employees. A small entity in the categories of water transportation or food processing is one that employs no more than 500 people.

Finally, the agencies are requesting relevant environmental information because under the National Environmental Policy Act (42 U.S.C. 4332), the individual or cumulative effect of regulations on the human environment needs to be considered. The agencies do not now possess the data that would permit detailed analysis of any environmental impacts of the alternatives described in this document. Therefore, information on potential environmental impacts is also requested, including: (1) the potential for increased energy consumption that may result either from the need to increase refrigeration during transportation of food or from the use of

more trucks to avoid transporting food in trucks that had previously held cargoes that could affect food safety, (2) increased disposal of defective foods, (3) new or increased use and disposal of sanitizing products, and (4) a description of measures that could be taken to avoid or mitigate adverse environmental impacts that might result from this action.

Done at Washington, DC, on: November 18, 1996.

Thomas J. Billy,

Administrator, Food Safety and Inspection Service.

William B. Schultz,

Deputy Commissioner for Policy, Food and Drug Administration.

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SMALL BUSINESS ADMINISTRATION

13 CFR Part 121

Small Business Size Standards; Waiver of the Nonmanufacturer Rule

AGENCY: Small Business Administration.

ACTION: Notice of intent to waive the Nonmanufacturer Rule for Routers and Switches.

SUMMARY: The Small Business Administration (SBA) is considering granting a waiver of the Nonmanufacturer Rule for Routers and Switches. The basis for a waiver of the Nonmanufacturer Rule for this product is that there are no small business manufacturers or processors available to supply these products to the Federal Government. The effect of a waiver would be to allow an otherwise qualified Nonmanufacturer to supply other than the product of a domestic small business manufacturer or processor on a Federal contract set aside for small businesses or awarded through the SBA 8(a) Program. The purpose of this notice is to solicit comments and potential source information from interested parties.

DATES: Comments and sources must be submitted on or before November 29, 1996.

ADDRESSES: David Wm. Loines, Procurement Analyst, U.S. Small Business Administration, 409 3rd Street S.W., Washington, DC 20416, Tel: (202) 205-6475.

FOR FURTHER INFORMATION CONTACT: David Wm. Loines, tel: (202) 205-6475.

SUPPLEMENTARY INFORMATION: Public law 100-656, enacted on November 15, 1988, incorporated into the Small Business Act the previously existing

regulation that recipients of Federal contracts set-aside for small businesses or the SBA 8(a) Program procurement must provide the product of a small business manufacturer or processor, if the recipient is other than the actual manufacturer or processor. This requirement is commonly referred to as the Nonmanufacturer Rule. The SBA regulations imposing this requirement are found at 13 CFR 121.406(b). Section 303(h) of the law provides for waiver of this requirement by SBA for any "class of products" for which there are no small business manufacturers or processors in the Federal market. To be considered available to participate in the Federal market on these classes of products, a small business manufacturer must have submitted a proposal for a contract solicitation or received a contract from the Federal Government within the last 24 months. The SBA defines "class of products" based on two coding systems. The first is the Office of Management and Budget Standard Industrial Classification Manual (SIC). The second is the Product and Service Code (PSC) established by the Federal Procurement Data System.

The Small Business Administration is currently processing a request for a waiver of the Nonmanufacturer Rule for Routers and Switches (SIC 3661, PSC 5805) and invites the public to comment or provide information on potential small business manufacturers for this product.

In an effort to identify potential small business manufacturers, the SBA has searched the Procurement Automated Source System (PASS) and *Thomas Register*, and the SBA will publish a notice in the Commerce Business Daily. The public is invited to comment or provide source information to SBA on the proposed waiver of the Nonmanufacturer Rule for this class of products.

Dated: November 4, 1996.

Judith A. Roussel,

Associate Administrator for Government Contracting.

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13 CFR Part 121

Small Business Size Standards; Waiver of the Nonmanufacturer Rule

AGENCY: Small Business Administration.

ACTION: Notice of intent to waive the Nonmanufacturer Rule for 8mm Tri-Deck Airborne Recorder (ruggedized).

SUMMARY: The Small Business Administration (SBA) is considering