

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.

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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