

# Notices

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This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

## DEPARTMENT OF AGRICULTURE

### Food Safety and Inspection Service

[Docket No. 03–005N]

#### **Listeria Risk Assessment Technical Meeting—Notice of Availability and Public Meeting**

**AGENCY:** Food Safety and Inspection Service, USDA.

**ACTION:** Notice of availability and announcement of public meeting.

**SUMMARY:** The Food Safety and Inspection Service (FSIS) is announcing the availability of, and requesting public comment on, its draft risk assessment for *Listeria* in deli- and hot dog-type meat and poultry products that are exposed to the environment post-lethality. FSIS conducted this risk assessment, addressing both *Listeria monocytogenes* and *Listeria* species (spp), to examine the effectiveness of testing food contact surfaces and sanitation on product contamination and the subsequent risk of illness, and to evaluate the effectiveness of other interventions (e.g., post-processing interventions). In addition, the frequency of testing food contact surfaces, as proposed in the proposed rule on Performance Standards for the Production of Processed Meat and Poultry Products, was specifically addressed.

FSIS also is holding a public meeting to discuss the technical design and assumptions that were used to create this draft risk assessment.

**DATES:** The public meeting is scheduled for Wednesday, February 26, 2003. The meeting will be held from 9 a.m. to 4:30 p.m. The draft risk assessment will be available in the FSIS docket room (address below) and will be posted to the FSIS Web site at <http://www.fsis.usda.gov> on or before February 14, 2003.

Submit written comments on the draft risk assessment on or before February 21, 2003.

**ADDRESSES:** The public meeting will be held at the Washington Plaza Hotel, 10 Thomas Circle, Washington, DC 20005. Telephone: (202) 842–1300.

A tentative agenda is available in the FSIS docket room (address below) and on the FSIS Web site at <http://www.fsis.usda.gov/OPPDE/rdad/Notices02.htm>

Please send written comments on the draft risk assessment to the FSIS Docket Room, Docket 03–005N, U.S. Department of Agriculture, Food Safety and Inspection Service, Room 102 Cotton Annex, 300 12th Street, SW., Washington, DC 20250–3700. All comments and the official transcript of the meeting, when they become available, will be available for viewing in the FSIS docket room.

**FOR FURTHER INFORMATION CONTACT:**

Moshe Dreyfuss at (202) 205–0260. Registration for the meeting will be on-site. No pre-registration will be accepted. Persons requiring a sign language interpreter should notify Ms. Sheila Johnson by February 12, 2003 at (202) 690–6498. Notify Ms. Johnson as soon as possible if other special accommodations are required.

**SUPPLEMENTARY INFORMATION:**

**Background**

FSIS administers the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act. The Agency's activities are intended to prevent the distribution in domestic and foreign commerce, as human food, of unwholesome, adulterated, or misbranded meat, poultry, and egg products, including products that may transmit diseases or that may be otherwise injurious to health.

On February 27, 2001, (66 FR 12589) FSIS issued proposed regulations to require that each establishment that produces ready-to-eat meat and poultry products test food contact surfaces for *Listeria* spp., in order to verify the efficacy of its sanitation standard operating procedures, unless it has incorporated one or more controls for *Listeria monocytogenes* into its HACCP plan. Under the proposed regulations, food contact surface positives for *Listeria* would trigger mandatory product testing. In November 2002, FSIS

issued a directive outlining additional steps to be taken by U.S. Department of Agriculture inspectors to ensure that establishments producing ready-to-eat meat and poultry products are taking the necessary steps to prevent contamination with *Listeria*.

FSIS has recently completed an extensive, scientific risk assessment on *Listeria* to determine how the pathogen may contaminate meat and poultry products during production and packaging processes. The draft risk assessment will provide important additional data that the Agency will use in developing a final regulation concerning the reduction and control of *Listeria* in processing plants producing ready-to-eat products, and a new directive to replace Directive 10,240.3 (Microbial Sampling of Ready To Eat Products for the FSIS Verification Testing Program), if appropriate, as a consequence of the final rule.

FSIS requests comment on this draft risk assessment and will hold a public meeting to discuss and seek input on it on February 26, 2003, at the Washington Plaza Hotel (See **ADDRESSES** above).

**Additional Public Notification**

Public awareness of all segments of rulemaking and policy development is important. Consequently, in an effort to better ensure that minorities, women, and persons with disabilities are aware of this notice, FSIS will announce it and make copies of this **Federal Register** publication available through the FSIS Constituent Update. FSIS provides a weekly Constituent Update, which is communicated via Listserv, a free e-mail subscription service. In addition, the update is available on-line through the FSIS web page located at <http://www.fsis.usda.gov/oa/update/update.htm>. The update is used to provide information regarding FSIS policies, procedures, regulations, **Federal Register** notices, FSIS public meetings, recalls, and any other types of information that could affect or would be of interest to our constituents/stakeholders. The constituent Listserv consists of industry, trade, and farm groups, consumer interest groups, allied health professionals, scientific professionals, and other individuals that have requested to be included. Through the Listserv and web page, FSIS is able to provide information to a much broader, more diverse audience.

For more information, contact the Congressional and Public Affairs Office, at (202) 720-9113. To be added to the free e-mail subscription service (Listserv) go to the "Constituent Update" page on the FSIS Web site at <http://www.fsis.usda.gov/oa/update/update.htm>. Click on the "Subscribe to the Constituent Update Listserv" link, then fill out and submit the form.

Done at Washington, DC, on: January 31, 2003.

**Linda M. Swacina,**

*Associate Administrator.*

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## DEPARTMENT OF AGRICULTURE

### Forest Service

#### Flagtail Fire Recovery Project; Malheur National Forest, Grant County, OR

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice of intent to prepare an environmental impact statement.

**SUMMARY:** The USDA, Forest Service will prepare an Environmental Impact Statement (EIS) on a proposal to assist the recovery of the area burned in 2002 by the Flagtail Fire. This will include proposals to salvage fire-killed and fire-damaged timber, implement reforestation, and implement projects to alleviate the potential for future damage to wildlife habitat, and aquatic resources as a result of the Flagtail Fire. The 7,250-acre project area is located on the Blue Mountain Ranger District, approximately 25 miles southwest of John Day, Oregon, within the Silvies Watershed.

**DATES:** Comments concerning the scope of the analysis must be received by February 28, 2003.

**ADDRESSES:** Send written comments to Michael Montgomery, District Ranter, Blue Mountain Ranger District, P.O. Box 909, John Day, OR 97845.

**FOR FURTHER INFORMATION CONTACT:** Linda Batten, Flagtail Fire Recovery Project Team Leader, Blue Mountain Ranger District. Phone: (541) 575-3000. E-mail [lbatten@fs.fed.us](mailto:lbatten@fs.fed.us) or the Malheur National Forest website at <http://www.fs.fed.us/r6/malheur>.

**SUPPLEMENTARY INFORMATION:** In July 2002, the Flagtail Fire burned approximately 8,200 acres, of which 7,250 occur on the Malheur National Forest. The remainder of the fire includes approximately 950 acres of private land. The 7,250-acre decision area for the Flagtail Fire Recovery Project includes those portions of the

Flagtail Fire that burned within the Silvies Watershed on National Forest System lands.

#### Purpose and Need for Action

The purposes and needs for action in the project planning area are to:

- Reduce fuel loadings,
- Reduce the risk of insect infestation in surviving stands,
- Capture economic value of the killed and damaged trees,
- Provide safe and adequate roaded access in the fire area,
- Reduce the effects of roads on wildlife and water quality,
- Re-establish upland vegetation, and
- Designate suitable dedicated and replacement old growth areas to replace those degraded by the fire.

#### Proposed Action

The proposed project could include the following activities:

- Salvage harvest approximately 5,200 acres, in the Silvies watershed;
- Decommission approximately 13 miles and close approximately 13 miles of road;
- Reforest areas that sustained high tree mortality with appropriate species;
- Replace Dedicated Old Growth that is now unsuitable due to the fire (resulting in a Forest Plan amendment).

About 80% of the proposed timber salvage units would be harvested using ground-based logging systems. Access for the salvage activities would require construction of less than 1 mile of road, construction of approximately 60 miles of road. The temporary roads would be decommissioned after completion of project activities. Approximately 20% of the area to be salvaged would be harvested using helicopter based logging systems. Connected actions in association with salvage include water barring and erosion control measures such as scattering of slash on skid trails and treatment of slash.

Approximately 5,200 acres would be planted with tree seedlings following site preparation. Fuels, including those created by the fire, by salvage activity, and by site preparation, would be reduced to meet the range of historic levels throughout the project area. A variety of fuel treatment methods would be used including removing marketable timber through salvage harvest, burning in place, piling and burning, and whole tree yarding.

All proposed activities are responsive to the stated purpose and need for this project.

#### Possible Alternatives

A full range of alternatives will be considered, including a "no action" alternative in which none of the activities proposed above would be implemented. Based on the issues gathered through scoping, the action alternatives could differ in the silvicultural and post-harvest treatments prescribed, the amount and location of harvest, or the amount and location of fuels reduction activity. Tentative alternatives to the proposed action could include an alternative that does not require the construction of additional temporary or permanent roads, other than temporary re-opening of existing roads. Another alternative could emphasize removal (or other fuels treatment options) of dead timber in the size classes most likely to reburn. Currently available science on snag and coarse woody debris dependent species habitat will be a factor in alternative development and could result in a proposal of a site-specific Forest Plan amendment to update standards and guidelines for these species. Consideration of various regeneration strategies including planting at relatively low stocking levels could also be a factor that differentiates alternatives.

#### Scoping Process

The public will have an opportunity to participate at several points during the analysis including the scoping period after publication of the notice of intent, and during the comment period after publication of the draft EIS. Notification of these opportunities will appear in subsequent issues of the Malheur National Forest's Schedule of Proposed Activities; letters to agencies, organizations, and individuals who have previously indicated their interest in such activities; and a legal notice in the *Blue Mountain Eagle*. Public meetings may be scheduled during the winter/spring of 2002-2003. The scoping process will include identifying potential issues, identifying major issues to be analyzed in depth, eliminating non-significant issues or those previously covered by a relevant environmental analysis, considering additional alternatives based on themes which will be derived from issues recognized during scoping activities, and identifying potential environmental effects of the proposed action and alternatives (*i.e.* direct, indirect, and cumulative effects and connected actions).