

DEPARTMENT OF AGRICULTURE**Food Safety and Inspection Service****9 CFR Parts 319 and 381**

[Docket No. 01-032N]

Approving Ingredients Used in the Production of Meat and Poultry Products: Use of Any Safe and Suitable Binder or Antimicrobial Agent in Meat and Poultry Products With Standards of Identity or Composition**AGENCY:** Food Safety and Inspection Service, USDA.**ACTION:** Affirmation of effective date for direct final rule.

SUMMARY: On April 29, 2003, the Food Safety and Inspection Service (FSIS) published a direct final rule "Approving Ingredients Used in the Production of Meat and Poultry Products: Use of Any Safe and Suitable Binder or Antimicrobial Agent in Meat and Poultry Products with Standards of Identity or Composition" in the **Federal Register**. This direct final rule amended the Federal meat and poultry products inspection regulations to permit the use of any safe and suitable binder or antimicrobial agent in the production of meat and poultry products that are subject to a standard of identity or composition that provides for the use of such ingredients.

EFFECTIVE DATE: June 30, 2003.

FOR FURTHER INFORMATION CONTACT: Robert Post, Director, Labeling and Consumer Protection Staff, Office of Policy and Program Development, Food Safety and Inspection Service, U.S. Department of Agriculture, Washington, DC 20250-3700; (202) 205-0279.

SUPPLEMENTARY INFORMATION:**Background**

FSIS published a direct final rule, "Approving Ingredients Used in the Production of Meat and Poultry Products: Use of Any Safe and Suitable Binder or Antimicrobial Agent in Meat and Poultry Products with Standards of Identity or Composition" (68 FR 22576, 4/29/03). This direct final rule amended the Federal meat and poultry products inspection regulations by permitting the use of any safe and suitable binder or antimicrobial agent in the production of meat and poultry products that are subject to a standard of identity or composition that provides for the use of such ingredients. The use of these ingredients must be consistent with any limitations or conditions of use prescribed in applicable FSIS or Food and Drug Administration (FDA)

regulations. On December 23, 1999, FSIS published in the **Federal Register**, a final rule entitled, "Food Ingredients and Sources of Radiation Listed or Approved for Use in the Production of Meat and Poultry Products." The final rule provided a comprehensive background regarding the status of food ingredients and sources of radiation currently listed in titles 9 and 21 of the CFR, and explained the process by which FDA and FSIS would be working together regarding future requests for approvals of ingredients to be used in meat and poultry products, which are under USDA jurisdiction.

After publishing that rule, the two agencies entered into a memorandum of understanding that outlines the responsibilities of each Agency during the joint review of new ingredients or new uses of previously approved ingredients. Under the Federal Food, Drug and Cosmetic Act (FFDCA), FDA has the responsibility for determining the safety of ingredients. FSIS has authority under the Federal Meat Inspection Act (FMIA) and the Poultry Products Inspection Act (PPIA) to determine whether new ingredients, or new uses of previously approved ingredients, are suitable for their intended use in meat and poultry products.

FSIS received no comments in response to the direct final rule published on April 29, 2003. Therefore, the amendments to the regulations will be effective on June 30, 2003.

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>. 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.

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Done at Washington, DC, on October 29, 2003.

Garry L. McKee,
Administrator.

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DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 39**

[Docket No. 2003-NE-40-AD; Amendment 39-13357; AD 2003-22-09]

RIN 2120-AA64

Airworthiness Directives; Pratt & Whitney PW4074, PW4074D, PW4077, PW4077D, PW4084, PW4084D, PW4090, PW4090D, PW4090-3, and PW4098 Turbofan Engines**AGENCY:** Federal Aviation Administration (FAA), DOT.**ACTION:** Final rule; request for comments.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for Pratt & Whitney PW4074, PW4074D, PW4077, PW4077D, PW4084, PW4084D, PW4090, PW4090D, PW4090-3, and PW4098 turbofan engines. This AD requires borescope inspection of the No. 3 bearing weep tube, on engines with high oil consumption that troubleshooting procedures fail to determine the source of oil loss. This AD also requires for all engines, initial and repetitive visual inspections of the turbine exhaust case (TEC) in the vicinity of the No 3 bearing oil vent tube for evidence of oil wetting or staining. If the vent tube borescope inspection is unsuccessful due to tube blockage, this AD also requires borescope inspections of the high pressure turbine (HPT) assembly for oil wetting or staining. This AD also requires removal of the HPT assembly and replacement of any heat distressed HPT assembly hardware if oil wetting or staining is found. This AD is prompted by reports of engine HPT assembly hardware being damaged as a result of thermal distress from oil