

Dated: June 18, 2009.

**Maryam I. Daneshvar,**

*Acting Reports Clearance Officer, Centers for Disease Control and Prevention.*

[FR Doc. E9-15254 Filed 6-26-09; 8:45 am]

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

[Docket No. FDA-2009-D-0271]

#### Draft Guidance for Industry on Measures to Address the Risk for Contamination by *Salmonella* Species in Food Containing a Pistachio-Derived Product as an Ingredient; Availability

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Notice.

**SUMMARY:** The Food and Drug Administration (FDA) is announcing the availability of a draft guidance for industry entitled "Guidance for Industry: Measures to Address the Risk for Contamination by *Salmonella* Species in Food Containing a Pistachio-Derived Product as an Ingredient" (draft guidance). The draft guidance, when finalized, is intended to clarify for manufacturers who produce foods containing a pistachio-derived product as an ingredient that there is a risk that *Salmonella* species may be present in the incoming pistachio-derived product, and to recommend measures to address that risk.

**DATES:** Although you can comment on any guidance at any time (see 21 CFR 10.115(g)(5)), to ensure that the agency considers your comment on this draft guidance before it begins work on the final version of the guidance, submit written or electronic comments concerning the draft guidance by August 28, 2009.

**ADDRESSES:** Submit written requests for single copies of the draft guidance to the Office of Food Safety, Center for Food Safety and Applied Nutrition (HFS-317), Food and Drug Administration, 5100 Paint Branch Pkwy., College Park, MD 20740. Send two self-addressed adhesive labels to assist that office in processing your requests. Submit written comments on the draft guidance to the Division of Dockets Management (HFA-305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852. Submit electronic comments on the draft guidance to <http://www.regulations.gov>. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the draft guidance.

#### FOR FURTHER INFORMATION CONTACT:

Michael E. Kashtock, Center for Food Safety and Applied Nutrition (HFS-317), Food and Drug Administration, 5100 Paint Branch Pkwy., College Park, MD 20740, 301-436-2022.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

FDA is announcing the availability of a draft guidance for industry entitled "Guidance for Industry: Measures to Address the Risk for Contamination by *Salmonella* Species in Food Containing a Pistachio-Derived Product as an Ingredient." This draft guidance is intended to clarify for manufacturers who produce foods containing a pistachio-derived product as an ingredient that there is a risk that *Salmonella* species (spp.) may be present in the incoming pistachio-derived product, and to recommend measures to address that risk. Pistachio-derived products include roasted in-shell pistachios and shelled pistachios (also called kernels) that are roasted or raw.

We are issuing this guidance in light of a recent investigation by FDA and the California Department of Public Health of *Salmonella* spp. contamination in pistachio-derived products (Ref. 1). The producer issued a voluntary recall involving a substantial quantity of its products. Because the recalled pistachio-derived products were used as ingredients in a variety of foods, this recall affected many products and resulted in additional recalls (Ref. 1).

FDA is issuing this draft guidance as level 1 guidance consistent with FDA's good guidance practices regulation (21 CFR 10.115). The draft guidance represents the agency's current thinking on measures to address the risk for contamination by *Salmonella* spp. in food containing a pistachio-derived product as an ingredient. It does not create or confer any rights for or on any person and does not operate to bind FDA or the public. An alternate approach may be used if such approach satisfies the requirements of the applicable statutes and regulations.

##### II. Comments

Interested persons may submit to the Division of Dockets Management (see **ADDRESSES**) written or electronic comments regarding this document. Submit a single copy of electronic comments or two paper copies of any mailed comments, except that individuals may submit one paper copy. Comments are to be identified with the docket number found in brackets in the heading of this document. Received comments may be seen in the Division

of Dockets Management between 9 a.m. and 4 p.m., Monday through Friday.

#### III. Electronic Access

Persons with access to the Internet may obtain the document at <http://www.regulations.gov> or at <http://www.fda.gov/FoodGuidances>.

#### IV. Reference

The following reference has been placed on display in the Division of Dockets Management (HFA-305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852 and may be seen by interested persons between 9 a.m. and 4 p.m., Monday through Friday.

1. FDA, 2009, Pistachio Product Recalls: *Salmonella*, updated April 16, 2009.

Dated: June 18, 2009.

**Jeffrey Shuren,**

*Associate Commissioner for Policy and Planning.*

[FR Doc. E9-15202 Filed 6-26-09; 8:45 am]

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Administration for Children and Families

#### Privacy Act of 1974, as Amended; Computer Matching Program

**AGENCY:** Office of Child Support Enforcement (OCSE).

**ACTION:** Notice of a new computer matching program.

**SUMMARY:** In accordance with the Privacy Act of 1974, as amended, OCSE is publishing notice of a new computer matching program between OCSE and State Agencies administering the Supplemental Nutrition Assistance Program (SNAP).

**DATES:** As required by the Privacy Act, the Department of Health and Human Services (HHS) will file a report of the matching program with the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Government Reform of the House of Representatives, and the Office of Information and Regulatory Affairs, Office of Management and Budget (OMB). The matching program will be effective as of the dates indicated below.

**ADDRESSES:** Interested parties may comment on this notice by writing to Linda Deimeke, Director, Division of Federal Systems, Office of Automation and Program Operations, Office of Child Support Enforcement, Administration for Children and Families, 370 L'Enfant

Promenade, SW., 4th Floor East, Washington, DC 20447. Comments received will be available for public inspection at this address from 9 a.m. to 5 p.m. Monday through Friday. You may also transmit written comments electronically via the Internet at: <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:**

Linda Deimeke, Director, Division of Federal Systems, Office of Automation and Program Operations, Office of Child Support Enforcement, Administration for Children and Families, 370 L'Enfant Promenade, SW., 4th Floor East, Washington, DC 20447. Telephone Number (202) 401-5439.

**SUPPLEMENTARY INFORMATION:** The Privacy Act of 1974 as amended (5 U.S.C. 552a), provides for certain protections for individuals applying for and receiving Federal benefits. The law governs the use of computer matching by Federal agencies when records in a system of records are matched with other Federal, State or local government records. The Privacy Act requires agencies involved in computer matching programs to:

1. Negotiate written agreements with the other agency or agencies participating in the matching programs;
2. Provide notification to applicants and beneficiaries that their records are subject to matching;
3. Verify information produced by such matching program before reducing, making a final denial of, suspending, or terminating an individual's benefits or payments;
4. Publish notice of the computer matching program in the **Federal Register**;
5. Furnish reports about the matching program to Congress and OMB; and
6. Obtain the approval of the Data Integrity Board of any Federal agency participating in a matching program.

This matching program meets the requirements of the Privacy Act of 1974, as amended, (5 U.S.C. 552a).

Dated: June 19, 2009.

**Vicki Turetsky,**

*Commissioner, Office of Child Support Enforcement.*

**Notice of New Computer Matching Program**

*A. Participating Agencies*

The participating agencies are OCSE, which is the "recipient agency," and State Agencies administering the Supplemental Nutrition Assistance Program (SNAP), which are the "source agencies."

*B. Purpose of the Matching Program*

The purpose of the matching program is to provide new hire, quarterly wage (QW) and unemployment insurance (UI) information from OCSE's National Directory of New Hires (NDNH) database to State Agencies administering the Supplemental Nutrition Assistance Program for the purpose of determining the eligibility of Supplemental Nutrition Assistance applicants and recipients. The State Agencies administering the Supplemental Nutrition Assistance Program may also use the NDNH information for the purpose of updating the recipients' reported participation in work activities and updating recipients' and their employers' contact information maintained by the State Agencies administering the Supplemental Nutrition Assistance Program.

*C. Authority for Conducting the Match*

The authority for conducting the matching program is contained in section 453(j)(10) of the Social Security Act (42 U.S.C. § 653(j)(10)).

*D. Categories of Individuals Involved and Identification of Records Used in the Matching Program*

The categories of individuals involved in the matching program are adult members of households that receive or have applied for Supplemental Nutrition Assistance Program benefits. The system of records maintained by OCSE from which records will be disclosed for the purpose of this matching program is the "Location and Collection System" (LCS), No. 09-90-0074, last published in the **Federal Register** at 72 FR 51446 on September 7, 2007. The LCS contains the NDNH, which contains new hire, QW, and UI information. Disclosures of NDNH information to the State Agencies administering SNAP are a "routine use" under this system of records. Records resulting from the matching program and which are disclosed to State Agencies administering the Supplemental Nutrition Assistance Program include names, Social Security numbers, home addresses, and employment information.

*E. Inclusive Dates of the Matching Program*

The matching agreement will be effective and matching activity may commence the later of the following:

- (1) 30 days after this Notice is published in the **Federal Register** or (2) at least 40 days after OCSE sends a report of a matching program to the Congressional committees of

jurisdiction under 5 U.S.C. 552a(o)(2)(A); and to OMB, unless OMB disapproves the agreement within the 40-day review period or grants a waiver of 10 days of the 40-day review period. The matching agreement will remain in effect for 18 months from its effective date, unless one of the parties to the agreement advises the other by written request to terminate or modify the agreement. The agreement is subject to renewal by the HHS Data Integrity Board for 12 additional months if the matching program will be conducted without any change and each party to the agreement certifies to the Board in writing that the program has been conducted in compliance with the agreement.

[FR Doc. E9-15231 Filed 6-26-09; 8:45 am]

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**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

[Internal Agency Docket No. FEMA-3301-EM; Docket ID FEMA-2008-0018]

**Arkansas; Amendment No. 2 to Notice of an Emergency Declaration**

**AGENCY:** Federal Emergency Management Agency, DHS.

**ACTION:** Notice.

**SUMMARY:** This notice amends the notice of an emergency declaration for the State of Arkansas (FEMA-3301-EM), dated January 28, 2009, and related determinations.

**DATES:** *Effective Date:* June 20, 2009.

**FOR FURTHER INFORMATION CONTACT:**

Peggy Miller, Disaster Assistance Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-3886.

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, Gerard M. Stolar, of FEMA is appointed to act as the Federal Coordinating Officer for this emergency.

This action terminates the appointment of W. Michael Moore as Federal Coordinating Officer for this emergency.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA);