

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

U.S. Codex Office

Codex Alimentarius Commission: Meeting of the Codex Committee on Pesticide Residues

AGENCY: U.S. Codex Office, USDA.

ACTION: Notice of public meeting and request for comments.

SUMMARY: The U.S. Codex Office is sponsoring a public meeting on May 25, 2023. The objective of the public meeting is to provide information and receive public comments on agenda items and draft U.S. positions to be discussed at the 54th Session of the Codex Committee on Pesticide Residues (CCPR) of the Codex Alimentarius Commission (CAC), which will convene in Beijing, China from June 26–July 1, 2023. The U.S. Manager for Codex Alimentarius and the Under Secretary for Trade and Foreign Agricultural Affairs recognize the importance of providing interested parties the opportunity to obtain background information on the 54th Session of the CCPR and to address items on the agenda.

DATES: The public meeting is scheduled for May 25, 2023, from 2–4 p.m. EDT.

ADDRESSES: The public meeting will take place via Video Teleconference only. Documents related to the 54th Session of the CCPR will be accessible via the internet at the following address: <https://www.fao.org/fao-who-codexalimentarius/meetings/detail/en/?meeting=CCPR&session=54>. Mr. Aaron Niman, U.S. Delegate to the 54th Session of the CCPR, invites interested U.S. parties to submit their comments electronically to the following email address: niman.aaron@epa.gov.

Registration: Attendees must register to attend the public meeting at the following link: <https://www.zoomgov.com/meeting/register/>

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After registering, you will receive a confirmation email containing information about joining the meeting.

For further information about the 54th Session of the CCPR, contact U.S. Delegate, Mr. Aaron Niman, niman.aaron@epa.gov, (202) 566–2177. For further information about the public meeting contact the U.S. Codex Office by email at: uscodex@usda.gov.

SUPPLEMENTARY INFORMATION:

Background

Codex was established in 1963 by two United Nations organizations, the Food and Agriculture Organization (FAO) and the World Health Organization (WHO). Through adoption of food standards, codes of practice, and other guidelines developed by its committees, and by promoting their adoption and implementation by governments, Codex seeks to protect the health of consumers and ensure fair practices in the food trade.

The Terms of Reference of the Codex Committee on Pesticide Residues (CCPR) are:

(a) to establish maximum limits for pesticide residues in specific food items or in groups of food;

(b) to establish maximum limits for pesticide residues in certain animal feeding stuffs moving in international trade where this is justified for reasons of protection of human health;

(c) to prepare priority lists of pesticides for evaluation by the Joint FAO/WHO Meeting on Pesticide Residues (JMPR);

(d) to consider methods of sampling and analysis for the determination of pesticide residues in food and feed;

(e) to consider other matters in relation to the safety of food and feed containing pesticide residues; and,

(f) to establish maximum limits for environmental and industrial contaminants showing chemical or other similarity to pesticides, in specific food items or groups of food.

The CCPR is hosted by China. The United States attends the CCPR as a member country of Codex.

Issues To Be Discussed at the Public Meeting

The following items from the forthcoming Agenda for the 54th Session of the CCPR will be discussed during the public meeting:

- Adoption of the Agenda
- Appointment of Rapporteurs
- Matters referred to CCPR by CAC and/or other subsidiary bodies
- Matters of interest arising from FAO and WHO
- Matters of interest arising from other international organizations
- Report on items of general consideration arising from the 2022 JMPR regular meeting
- Report on responses to specific concerns raised by CCPR arising from the 2022 JMPR regular meeting
- Maximum Residue Limits (MRLs) for pesticides in food and feed
- Revision of the *Classification of Food and Feed* (CXM 4/1989) on the following:
 - (i) Class B—Primary Food Commodities of Animal Origin and Class E—Processed Foods of Animal Origin (All Types)
 - (ii) Tables on examples of representative commodities for commodity groups in different types under Class B and Class E (for inclusion in the Principles and Guidance for the Selection of Representative Commodities for the Extrapolation of MRLs for Pesticides to Commodity Group (CXG 84–2012))
 - (iii) Portion of the commodity to which the MRLs apply, and which is analyzed for Group 006 Assorted tropical and sub-tropical fruits—inedible peel and Group 023 Oilseeds (Australia)
 - (iv) Review the Guidelines on portion of commodities to which MRLs apply and which is analyzed (CXG 41–1993)
- Coordination of work between CCPR and CCRVDF: Joint CCPR/CCRVDF Working Group on Compounds for Dual Use—Status of work
- Management of unsupported compounds without public health concern scheduled for periodic review
- National registrations of pesticides (National Registration Database for Pesticides for Periodic Review by JMPR)
- Establishment of Codex Schedules and Priority Lists of Pesticides for Evaluation/Re-Evaluation by JMPR
- Discussion paper on monitoring the purity and stability of certified reference material of multi-class pesticides during prolonged storage
- Discussion Paper on the Enhancement of the Operational Procedures of CCPR and JMPR

- Other Business and Future Work

Public Meeting

At the May 25, 2023, public meeting, draft U.S. positions on the agenda items will be described and discussed, and attendees will have the opportunity to pose questions and offer comments. Written comments may be offered at the meeting or sent to Mr. Aaron Niman, U.S. Delegate for the 54th Session of the CCPR (see **ADDRESSES**). Written comments should state that they relate to activities of the 54th Session of the CCPR.

Additional Public Notification

Public awareness of all segments of rulemaking and policy development is important. Consequently, the U.S. Codex Office will announce this **Federal Register** publication on-line through the USDA web page located at: <https://www.usda.gov/codex>, a link that also offers an email subscription service providing access to information related to Codex. Customers can add or delete their subscription themselves and have the option to password protect their accounts.

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Done at Washington, DC.

Mary Frances Lowe,

U.S. Manager for Codex Alimentarius.

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DEPARTMENT OF AGRICULTURE

Food Safety and Inspection Service

[Docket No. FSIS-2023-0007]

Retail Exemptions Adjusted Dollar Limitations

AGENCY: Food Safety and Inspection Service (FSIS), Department of Agriculture (USDA).

ACTION: Notice.

SUMMARY: FSIS is announcing the dollar limitations on the amount of meat and meat products and poultry and poultry products that a retail store can sell to hotels, restaurants, and similar institutions without disqualifying itself for exemption from Federal inspection requirements.

DATES: *Applicable* May 8, 2023.

FOR FURTHER INFORMATION CONTACT: Gina Kouba, Office of Policy and Program Development, Food Safety and Inspection Service, USDA, 1400 Independence Avenue SW, Mailstop 3758, South Building, Washington, DC 20250-3700; (202) 937-4272.

SUPPLEMENTARY INFORMATION:

Background

The Federal Meat Inspection Act (21 U.S.C. 601 *et seq.*) and the Poultry Products Inspection Act (21 U.S.C. 451 *et seq.*) provide a comprehensive statutory framework to ensure that meat and meat products and poultry and poultry products prepared for commerce are wholesome, not adulterated, and properly labeled and packaged. Statutory provisions requiring inspection of the processing of meat and meat products and poultry and poultry products do not apply to operations of types traditionally and usually conducted at retail stores and restaurants in regard to products offered for sale to consumers in normal retail quantities (21 U.S.C. 661(c)(2) and 454(c)(2)). FSIS' regulations (9 CFR 303.1(d) and 381.10(d)) elaborate on the conditions under which requirements for inspection do not apply to retail operations involving the preparation of meat and meat products and the processing of poultry and poultry products.

Sales to Hotels, Restaurants, and Similar Institutions

Under the aforementioned regulations, sales to hotels, restaurants, and similar institutions (other than household consumers) disqualify a retail store from exemption if the retail product sales of amenable products exceed either of two maximum limits: 25 percent of the dollar value of the total retail product sales or the calendar year retail dollar limitation set by the FSIS Administrator. The retail dollar limitation is adjusted automatically during the first quarter of the year if the Consumer Price Index (CPI), published by the Bureau of Labor Statistics, shows an increase or decrease of more than \$500 in the price of the same volume of product for the previous year. FSIS publishes a notice of the adjusted retail dollar limitations in the **Federal Register**. (See 9 CFR 303.1(d)(2)(iii)(b) and 381.10(d)(2)(iii)(b).)

The CPI for 2022 reveals an annual average price increase for meat and meat products of 8.20 percent, an average annual price increase for Siluriformes fish and fish products of 9.15 percent, and an annual average price increase for poultry and poultry products of 14.58 percent. When rounded to the nearest \$100 dollar, the retail dollar limitation for meat and meat products, including Siluriformes fish and fish products, increased by \$7,500¹ and the retail dollar limitation for poultry and poultry products increased by \$9,200.² In accordance with 9 CFR 303.1(d)(2)(iii)(b) and 381.10(d)(2)(iii)(b), because the retail dollar limitations for meat and meat products and poultry and poultry products increased by more than \$500, FSIS is increasing the dollar limitation on sales to hotels, restaurants, and similar institutions to \$98,900 for meat and meat products and to \$72,000 for

¹ The base value for meat and meat products in 2022 was \$91,390 rounded to the nearest \$100 dollar to \$91,400. The base value included \$88,669 for meat and meat products and \$2,721 to account for Siluriformes fish and fish products. The meat and meat products prices increased by 8.20 percent, or \$7,271 ($\$88,669 \times 0.0820 = \$7,271$), during 2022. The Siluriformes fish and fish products prices increased by 9.15 percent, or \$249 ($\$2,721 \times 0.0915 = \249), during 2022. Combined, the value for meat and meat products that includes Siluriformes fish and fish products increased by \$7,520 ($\$7,271 + \249). Since this change is more than \$500, the retail dollar limitation is adjusted to \$98,900 [$(\$88,669 + \$7,271) + (\$2,721 + \$249) = \$98,910$ which is rounded to \$98,900].

² The base value for poultry and poultry products in 2022 was \$62,824 rounded to the nearest \$100 dollar to \$62,800. The poultry and poultry products prices increased by 14.58 percent, or \$9,160 ($\$62,824 \times 0.1458 = \$9,160$), during 2022. Since this change is more than \$500, the retail dollar limitation is adjusted to \$72,000 ($\$62,824 + \$9,160 = \$71,984$ rounded to \$72,000.).