

# Notices

Federal Register

Vol. 73, No. 65

Thursday, April 3, 2008

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. FSIS-2008-0011]

#### Shiga Toxin-Producing *E. coli* Public Meeting

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

**ACTION:** Notice of public meeting.

**SUMMARY:** This notice is announcing that the U.S. Department of Agriculture's (USDA) Food Safety and Inspection Service (FSIS) will sponsor a public meeting on April 9-10, 2008. The purpose of the meeting is to have a discussion with stakeholders on recent spikes in recalls and illnesses related to *Escherichia coli* (*E. coli*) O157:H7, provide updates on FSIS initiatives related to *E. coli* O157:H7, review perspectives, research progress, and build a foundation for establishing solutions to address the challenges this pathogen causes.

**DATES:** The public meeting will be held on Wednesday, April 9, 2008, 8 a.m. to 5 p.m., and Thursday, April 10, 2008, 8 a.m. to 1 p.m.

**ADDRESSES:** The meeting will be held at the Holiday Inn Georgetown, 2101 Wisconsin Avenue, NW., Washington, DC 20007, Phone: (202) 338-3120, Web site: <http://www.higeorgetown.com>.

Any changes to meeting dates, times, location, and agenda will be posted on the FSIS Web site and announced in the Agency's Constituent Update.

#### Registration

Pre-registration for this meeting is encouraged. To pre-register to attend in person or via teleconference, access the FSIS Web site, <http://www.fsis.usda.gov>. Contact Sheila Johnson for more information on logistics at (202) 690-6498 or via e-mail at [Sheila.johnson@fsis.usda.gov](mailto:Sheila.johnson@fsis.usda.gov).

All documents related to the meeting will be available for public inspection in

the FSIS Docket Room, 1400 Independence Avenue, SW., Room 2534 South Building, Washington, DC 20250, between 8:30 a.m. and 4:30 p.m., Monday through Friday, as soon as they become available.

FSIS will finalize an agenda on or before the meeting date and post it and the documents related to the public meeting on the FSIS Web page at: [http://www.fsis.usda.gov/News/Meetings\\_&\\_Events/](http://www.fsis.usda.gov/News/Meetings_&_Events/).

Also, when it becomes available, the official transcript of the meeting will be kept in the FSIS Docket Room at the above address and will also be posted on the Agency Web site, <http://www.fsis.usda.gov>.

#### FOR FURTHER INFORMATION CONTACT:

Keith Payne, Phone: (202) 690-6522, FAX: (202) 690-6519, e-mail: [keith.payne@fsis.usda.gov](mailto:keith.payne@fsis.usda.gov) or at the mail address: USDA, FSIS, 1400 Independence Avenue, SW., Room 1175, South Building, Washington, DC 20250.

Persons requiring a sign language interpreter or other special accommodations should notify Mr. Payne by April 2, 2008.

#### SUPPLEMENTARY INFORMATION:

##### Background

Shiga toxin-producing *E. coli* (STEC) was first identified in the early 1980s in North America as the cause of outbreaks of bloody diarrhea, often leading to severe and fatal illness. These outbreaks were associated with ground beef consumption, and *E. coli* O157:H7 was the STEC identified as causing the illnesses. In 1994, FSIS notified the public that raw ground beef contaminated with *E. coli* O157:H7 is adulterated under the Federal Meat Inspection Act unless the ground beef is processed to destroy this pathogen. Also in 1994, FSIS began sampling and testing ground beef for *E. coli* O157:H7.

On January 19, 1999, FSIS published a policy statement in the **Federal Register** that explained that if non-intact raw beef products or intact raw beef products that are to be processed into non-intact product prior to distribution for consumption are found to be contaminated with *E. coli* O157:H7, they will be deemed to be adulterated if not processed to destroy the pathogen (64 FR 2803).

Beginning at least with the high prevalence season for *E. coli* O157:H7 in

April 2007, some control measures for *E. coli* O157:H7 implemented by beef operations have proven to be inadequate. During the period following April 2007, there has been an increased number of positives in Agency sampling for *E. coli* O157:H7 compared to the preceding three years, a couple of outbreaks attributed to this pathogen and beef products, and a number of large recalls. FSIS took a number of steps to address the increase in Agency *E. coli* O157:H7 positive results, outbreaks, and illnesses.

For example, on October 12, 2007, FSIS issued instructions to inspection program personnel to inform establishments producing raw beef products that they had an obligation (under 9 CFR 417.4(a)(3)) to reassess their HACCP system to determine whether any changes were necessary in response to these *E. coli* O157:H7 developments. On October 12, 2007, FSIS also instructed inspection program personnel at establishments producing raw beef products to complete an on-line checklist detailing steps the establishment takes to address *E. coli* O157:H7. FSIS intends to use the information from the checklist to determine targeted approaches for Agency *E. coli* O157:H7 verification testing.

Also in October 2007, FSIS implemented other steps, including follow-up sampling and testing of raw ground beef, raw ground beef trimmings, and other raw ground beef and raw beef patty components in response to an FSIS positive *E. coli* O157:H7 result or another Federal or State entity's positive *E. coli* O157:H7 result. It also announced that it would begin routine sampling and testing of raw ground beef components (including raw beef patty components) other than beef manufacturing trimmings for *E. coli* O157:H7. Raw ground beef components other than beef manufacturing trimmings include two piece chucks and other primal/sub-primal cuts intended for use in raw ground beef or other raw non-intact product, raw esophagus (weasand) meat, head meat, cheek meat, beef from advanced meat recovery (AMR) systems, low temperature rendered lean finely textured beef (LFTB), partially defatted chopped beef, partially defatted beef fatty tissue, and heart meat. Finally, on January 1, 2008, FSIS began a new risk-

based sampling program for *E. coli* O157:H7 that takes into account establishment volume.

To continue to take steps to address *E. coli* O157:H7, FSIS will hold a public meeting on Wednesday and Thursday, April 9–10, 2008, to facilitate discussion with stakeholders on recent spikes in recalls and illnesses related to *E. coli* O157:H7; provide updates on FSIS initiatives related to *E. coli* O157:H7; and solicit input from producers, industry, consumers, academia, states, and other public health and regulatory agencies for possible solutions to address the challenges this pathogen presents.

All interested parties are welcome to attend the meeting and to submit written comments on the agenda items after they are discussed through May 7, 2008, to Mr. Payne by phone (202) 690–6522, fax (202) 690–6519, e-mail: [Keith.payne@fsis.usda.gov](mailto:Keith.payne@fsis.usda.gov), or at the mail address: USDA, FSIS, 1400 Independence Avenue, SW., Room 1175, South Building, Washington, DC 20250. Individuals who do not wish FSIS to post their personal contact information—mailing address, e-mail address, telephone number—on the Internet may leave the information off their comments.

The comments and the official transcript of the meeting, when they become available, will be posted on the agency's Web site at <http://www.fsis.usda.gov>.

#### Additional Public Notification

Public awareness of all segments of rulemaking and policy development is important. Consequently, in an effort to ensure that minorities, women, and persons with disabilities are aware of this notice, FSIS will announce it online through the FSIS Web page located at [http://www.fsis.usda.gov/regulations/2008\\_Notices\\_Index/](http://www.fsis.usda.gov/regulations/2008_Notices_Index/). FSIS will also make copies of this **Federal Register** publication available through the FSIS Constituent Update, which is used to provide information regarding FSIS policies, procedures, regulations, **Federal Register** notices, FSIS public meetings, and other types of information that could affect or would be of interest to constituents and stakeholders. The Update is communicated via Listserv, a free electronic mail subscription service for industry, trade groups, consumer interest groups, health professionals, and other individuals who have asked to be included. The Update is also available on the FSIS Web page. Through Listserv and the Web page, FSIS is able to provide information to a much broader and more diverse audience. In addition, FSIS offers an

electronic mail subscription service which provides automatic and customized access to selected food safety news and information. This service is available at [http://www.fsis.usda.gov/news\\_and\\_events/email\\_subscription/](http://www.fsis.usda.gov/news_and_events/email_subscription/). Options range from recalls to export information to regulations, directives and notices. Customers can add or delete subscriptions themselves, and have the option to password protect their accounts.

Done at Washington, DC, on: March 28, 2008.

**Alfred V. Almanza,**

*Administrator.*

[FR Doc. E8–6868 Filed 4–2–08; 8:45 am]

**BILLING CODE 3410-DM-P**

---

## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Applications for Duty-Free Entry of Scientific Instruments

Pursuant to Section 6(c) of the Educational, Scientific and Cultural Materials Importation Act of 1966 (Pub. L. 89–651, as amended by Pub. L. 106–36; 80 Stat. 897; 15 CFR part 301), we invite comments on the question of whether instruments of equivalent scientific value, for the purposes for which the instruments shown below are intended to be used, are being manufactured in the United States.

Comments must comply with 15 CFR 301.5(a)(3) and (4) of the regulations and be postmarked on or before April 23, 2008. Address written comments to Statutory Import Programs Staff, Room 2104, U.S. Department of Commerce, Washington, D.C. 20230. Applications may be examined between 8:30 A.M. and 5:00 P.M. at the U.S. Department of Commerce in Room 2104.

Docket Number: 08–007. Applicant: University of Southern California, University Park, Los Angeles, CA 90089–9045. Instrument: Transmission Electron Microscope, Model JEM–2100. Manufacturer: Jeol, Inc., Japan. Intended Use: The instrument is intended to be used to visualize tissues, cells and purified biological molecules at high magnification by transmission electron microscopy. The tissues, cells and molecules to be imaged will be evaluated for their morphological and structural features. Application accepted by Commissioner of Customs: March 11, 2008.

Dated: March 28, 2008.

**Faye Robinson,**

*Director Statutory Import Programs Staff.*

[FR Doc. E8–6947 Filed 4–2–08; 8:45 am]

**BILLING CODE 3510-DS-S**

---

## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Application for Duty-Free Entry of Scientific Instruments

Pursuant to Section 6(c) of the Educational, Scientific and Cultural Materials Importation Act of 1966 (Pub. L. 89–651; as amended by Pub. L. 106–36; 80 Stat. 897; 15 CFR part 301), we invite comments on the question of whether instruments of equivalent scientific value, for the purposes for which the instruments shown below are intended to be used, are being manufactured in the United States.

Comments must comply with 15 CFR 301.5(a)(3) and (4) of the regulations and be filed within 20 days with the Statutory Import Programs Staff, U.S. Department of Commerce 14<sup>th</sup> and Constitution Ave., NW, Room 2104 Washington, D.C. 20230. Applications may be examined between 8:30 a.m. and 5 p.m. in Room 2104, U.S. Department of Commerce.

Docket Number: 08–008. Applicant: Rice University, 6100 Main Street, Houston, TX 77005. Instrument: Low Temperature Microscopy Scanning Probe. Manufacturer: Nano Magnetics Instruments, Ltd., Turkey. Intended Use: The instrument is intended to be used for imaging local magnetic field and change current distribution in semiconductor nanostructures. An essential feature of this instrument is that can supply 300mK scanning Hall probe microscopy with 50 NM special resolution. Application accepted by Commissioner of Customs: March 12, 2008.

Docket Number: 08–009. Applicant: University of Michigan, Department of Materials Science and Engineering, 2300 Hayward St., Ann Arbor, MI 48109–2136. Instrument: Heating Microscope Optical Dilatometer. Manufacturer: Expert System Solutions, Italy. Intended Use: This instrument will be used in a Defense Advanced Research Projects Agency (DARPA)-funded project on Direct Digital Manufacturing of Airfoils. The objective is to create a low-cost highly accurate method for manufacture of jet turbine engine airfoils for military aircraft. The Heating Microscope Optical Dilatometer hardware and software will be used for sintering shrinkage up to 1600 degrees centigrade,