

used for *E. coli* and *Salmonella* testing under the PR/HACCP regulations. The number of samples, the type of samples, the sampling time period, and the type of testing or measurement should be included in the protocol.

(8) *Reporting of data and evaluation of results.* The protocol should explain how data obtained are to be reported and summarized. The criteria for evaluating the results and the basis for conclusions to be drawn should be explained.

(9) *Conclusions.* The protocol should provide for a statement of what the data obtained demonstrate and what conclusions were reached.

EFFECTIVE DATE NOTE: At 80 FR 75616, Dec. 2, 2015, § 441.10 was amended by removing the term “Raw livestock and poultry” and adding in its place the term “Raw livestock, poultry, and fish” at the beginning of the first sentence of paragraph (a) and at the beginning of the first sentence of paragraph (b), effective Mar. 1, 2016.

PART 442—QUANTITY OF CONTENTS LABELING AND PROCEDURES AND REQUIREMENTS FOR ACCURATE WEIGHTS

Sec.

- 442.1 Quantity of contents labeling
- 442.2 Definitions and procedures for determining net weight compliance
- 442.3 Scale requirements for accurate weights, repairs, adjustments, and replacement after inspection
- 442.4 Testing of scales
- 442.5 Handling of failed product

AUTHORITY: 21 U.S.C. 451–470, 601–695; 7 CFR 2.18, 2.53.

SOURCE: 73 FR 52192, Sept. 9, 2008, unless otherwise noted.

§ 442.1 Quantity of contents labeling.

This part prescribes the procedures to be followed for determining net weight compliance and prescribes the reasonable variations allowed from the declared net weight on the labels of immediate containers of products in accordance with 9 CFR 317.2(c)(4), 317.2(h), and 381.121.

§ 442.2 Definitions and procedures for determining net weight compliance.

(a) For the purpose of § 442.1 of this part, the reasonable variations al-

lowed, and the definitions and the procedures to be used, in determining net weight and net weight compliance are presented in the National Institute of Standards and Technology (NIST) Handbook 133, “Checking the Net Contents of Packaged Goods,” Fourth Edition, January 2005, which is incorporated by reference. The Director of the Federal Register approves this incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies of NIST Handbook 133 may be purchased from the Superintendent of Documents, U.S. Government Printing Office, 732 N. Capitol Street, NW., Washington, DC, 20401. You may contact the Government Printing Office Toll-Free at 1-866-512-1800 or go to: <http://bookstore.gpo.gov>. You may inspect a copy of NIST Handbook 133 at the FSIS Docket Room, U.S. Department of Agriculture, Food Safety and Inspection Service, 1400 Independence Avenue, SW., Room 2534, Washington, DC 20250. You can contact the FSIS Docket room by calling 202-720-0344 or 202-720-3813. The NIST Handbook 133 is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

(b) The following NIST Handbook 133 requirements are not incorporated by reference.

CHAPTER 2—BASIC TEST PROCEDURE—GRAVIMETRIC TESTING

2.3 Basic Test Procedure—Tare Procedures—*Wet Tare*

2.3 Basic Test Procedure—Moisture Allowances—*What moisture allowance is used with wet tare when testing packages bearing a USDA seal of inspection?*

2.4 Borax

CHAPTER 3—TEST PROCEDURES—FOR PACKAGES LABELED BY VOLUME

3.5 Mayonnaise and Salad Dressing

3.7 Pressed and Blown Glass Tumblers and Stemware

3.8 Volumetric Test Procedures for Paint, Varnish, and Lacquers—Non Aerosol

3.9 Testing Viscous Materials—Such as Caulking Compounds and Pastes

3.10 Peat Moss

3.11 Mulch and Soils Labeled by Volume