

Food Safety and Inspection Service
9 CFR Parts 317 and 381

[Docket No. 94-029F-C]

Nutrition Labeling of Meat and Poultry Products; Codification; Correction

AGENCY: Food Safety and Inspection Service, USDA.

ACTION: Final rule; correction.

SUMMARY: The Food Safety and Inspection Service (FSIS) is correcting an amendment to its final nutrition labeling regulations. The amendment was published in the **Federal Register** on January 3, 1995 (60 FR 174).

EFFECTIVE DATE: February 24, 1995.

FOR FURTHER INFORMATION CONTACT: Charles R. Edwards, Director, Product Assessment Division, Regulatory Programs, Food Safety and Inspection Service, U.S. Department of Agriculture, Washington, DC, (202) 254-2565.

SUPPLEMENTARY INFORMATION:

Need for Correction

On January 3, 1995, FSIS published in the **Federal Register** (60 FR 174) an amendment to its final nutrition labeling regulations. The amendment provided codified language for provisions that previously cross-referenced those requirements that FSIS adopted, which were contained in the Food and Drug Administration's (FDA) final nutrition labeling regulations. In the January 3, 1995, publication, FSIS inadvertently omitted a provision in the poultry products inspection regulations that relates to the modified nutrition label format. Paragraph (g)(4) of 9 CFR 381.409 (which was paragraph (f)(4) in the nutrition labeling final rule (58 FR 632)) was omitted when revising 9 CFR 381.409. Therefore, FSIS is adding paragraph (g)(4) to § 381.409 of the poultry products inspection regulations.

List of Subjects 39 CFR Part 381

Food labeling, Poultry and poultry products.

Accordingly, the codification of the final rule on nutrition labeling of meat and poultry products, published January 3, 1995, (60 FR 174), is corrected as follows:

PART 381—POULTRY PRODUCTS INSPECTION REGULATIONS

1. The authority citation for part 381 continues to read as follows:

Authority: 7 U.S.C. 138f; 7 U.S.C. 450; 21 U.S.C. 451-470; 7 CFR 2.17, 2.55.

2. Section 381.409 is corrected by adding paragraph (g)(4) to read as follows:

§ 381.409 Nutrition label content.

* * * * *

(g) * * *

(4) Presenting the required information on any other label panel.

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Done at Washington, DC, on February 14, 1995.

Michael R. Taylor,

Acting Under Secretary for Food Safety.

[FR Doc. 95-4521 Filed 2-23-95; 8:45 am]

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9 CFR Parts 318 and 381

[Docket No. 90-010F]

Incorporation by Reference; Updating of Text; Correction

AGENCY: Food Safety and Inspection Service, USDA.

ACTION: Final rule; correction.

SUMMARY: The Food Safety and Inspection Service is amending the meat and poultry products inspection regulations to correct references to the "Official Methods of Analysis of the Association of Official Analytical Chemists" book of methods.

EFFECTIVE DATE: February 24, 1995.

FOR FURTHER INFORMATION CONTACT: Dr. Paula M. Cohen, Director, Regulations Development, Policy, Evaluation and Planning Staff, Food Safety and Inspection Service, U.S. Department of Agriculture, Washington, DC 20250-3700, (202) 720-7164.

SUPPLEMENTARY INFORMATION: Title 1 of the Code of Federal Regulations (1 CFR part 51) requires that an Agency seeking approval of a change to a publication that is approved for incorporation by reference in the Code of Federal Regulations publish notice of the change in the **Federal Register** and amend the Code of Federal Regulations. The Agency must also ensure that a copy of the amendment or revision is on file at the Office of the Federal Register and notify the Director of the Federal Register in writing that the change is being made.

On June 30, 1994, at 59 FR 33641, the Food Safety and Inspection Service published a final rule updating references to the "Official Methods of Analysis of the Association of Official Analytical Chemists" (AOAC) book of methods in various sections of the Federal meat and poultry products inspection regulations. 9 CFR 318.19(b) contains two footnote reference errors.

These errors are corrected by removing footnote 1 from the first sentence of section 318.19(b) and renumbering footnote 2 of section 318.19(b) as footnote 1. In addition, there is also an incorrect footnote number in section 318.21(b)(3)(viii). Footnote five to section 318.21(b)(3)(viii) now reads as footnote 4. Finally, footnote 4 of 9 CFR 381.153(b)(3)(viii) was inadvertently omitted from the final regulations. It is now included as part of the text of section 381.153(b)(3)(viii).

The "Official Methods of Analysis of the Association of Official Analytical Chemists" (AOAC) book of methods has been previously approved for incorporation by reference. Because this amendment merely corrects errors in footnote references, it is found upon good cause that public participation in this rulemaking procedure is unnecessary and good cause is found for making the amendment effective less than 30 days after publication in the **Federal Register** (5 U.S.C. 553).

List of Subjects

9 CFR Part 318

Accredited laboratory program, Cured pork products, Incorporation by reference, Meat inspection.

9 CFR Part 381

Accredited laboratory program, Incorporation by reference, Poultry products inspection.

For reasons set out in the preamble, 9 CFR parts 318 and 381 are amended as set forth below.

PART 318—ENTRY INTO OFFICIAL ESTABLISHMENTS; REINSPECTION AND PREPARATION OF PRODUCTS

1. The authority citation for part 318 continues to read as follows:

Authority: 7 U.S.C. 450, 1901-1906; 21 U.S.C. 601-695; 7 CFR 2.17, 2.55.

2. Section 318.19(b) is amended by removing footnote 1 from the first sentence, republishing the second and third sentences, and redesignating footnote 2 as footnote 1 to read as follows:

§ 318.19 Compliance procedure for cured pork products.

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(b) *Normal Compliance Procedures.* * * * Analyses shall be conducted in accordance with the "Official Methods of Analysis of the Association of Official Analytical Chemists" §§ 950.46, and 928.08 (Chapter 39).¹ The "Official

¹ A copy of the "Official Methods of Analysis of the Association of Official Analytical Chemists," 15th edition, 1990, is on file with the Director,

Methods of Analysis of the Association of Official Analytical Chemists," 15th edition, 1990, is incorporated by reference with the approval of the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. * * *

3. Section 318.21(b)(3)(viii) is republished and footnote number 5 is redesignated as footnote 4 to read as follows:

§ 318.21 Accreditation of chemistry laboratories.

* * * * *

(b) * * *

(3) * * *

(viii) Use official AOAC methods⁴ on official and check samples. The "Official Methods of Analysis of the Association of Official Analytical Chemists," 15th edition, 1990, is incorporated by reference with the approval of the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51.

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PART 381—POULTRY PRODUCTS INSPECTION REGULATIONS

4. The authority citation for part 381 continues to read as follows:

Authority: 7 U.S.C. 450; 21 U.S.C. 451-470; 7 CFR 2.17, 2.55.

5. Section 381.153(b)(3)(viii) is amended by revising footnote 4 and republishing paragraph (b)(3)(viii) to read as follows:

§ 381.153 Accreditation of chemistry laboratories.

* * * * *

(b) * * *

(3) * * *

(viii) Use official AOAC methods⁴ on official and check samples. The "Official Methods of Analysis of the Association of Official Analytical Chemists," 15th edition, 1990, is incorporated by reference with the approval of the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51.

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Office of the Federal Register, and may be purchased from the Association of Official Analytical Chemists, Inc., 2200 Wilson Boulevard, Suite 400, Arlington, Virginia 22201.

⁴A copy of the "Official Methods of Analysis of the Association of Analytical Chemists," 15th edition, 1990, is on file with the Director, Office of the Federal Register, and may be purchased from the Association of Official Analytical Chemists, Inc., 2200 Wilson Boulevard, Suite 400, Arlington, Virginia 22201.

Done at Washington, DC, on February 14, 1995.

Michael R. Taylor,

Acting Under Secretary for Food Safety.

[FR Doc. 95-4522 Filed 2-23-95; 8:45 am]

BILLING CODE 3410-DM-P

9 CFR Part 327

[Docket No. 94-010F]

Imported Product: Withdrawal of Czechoslovakia; Addition of the Czech Republic to the List of Eligible Countries

AGENCY: Food Safety and Inspection Service, USDA.

ACTION: Direct final rule.

SUMMARY: The Food Safety and Inspection Service (FSIS) is amending the Federal meat inspection regulations (9 CFR 327.2) to affirm that the newly formed country of the Czech Republic continues to be eligible to have its meat products imported into the United States. The regulations are also amended to delete Czechoslovakia from the list of countries eligible to have their meat products imported into the United States.

Based on mutual agreement, Czechoslovakia peacefully divided into the Czech Republic and the Slovak Republic on January 1, 1993. The meat inspection program recognized by the United States as meeting the requirements of the Federal meat inspection regulations and eligible to have its meat products imported into the United States is a program of the Czech Republic.

DATES: This rule will be effective on April 25, 1995 unless we receive written adverse comments or written notice of intent to submit adverse comments on or before March 27, 1995.

ADDRESSES: Adverse comments or notice of intent to submit adverse comments should be sent in triplicate to Regulations Development, Policy, Evaluation and Planning Staff, Attention: Diane Moore, FSIS Docket Clerk, Food Safety and Inspection Service, Room 3171, South Agriculture Building, U. S. Department of Agriculture, Washington, DC 20250. Comments should refer to Docket No. 94-010F. All comments will be available for public inspection from 8:30 a.m. to 1 p.m. and 2 p.m. to 4:30 p.m., Monday through Friday, in Room 3171, South Agriculture Building, 14th and Independence Avenue, SW., Washington, DC 20250.

FOR FURTHER INFORMATION CONTACT: Dr. John C. Prucha, Deputy Administrator, International Programs, Food Safety and Inspection Service, USDA, Washington, DC 20250 (202) 720-2644.

SUPPLEMENTARY INFORMATION:

Background

In 1972, Czechoslovakia completed the eligibility process for importation of meat products into the United States. The country maintained its eligibility until it split into two separate republics on January 1, 1993: the Czech Republic and the Slovak Republic.

In October 1993, inspection officials of the Czech Republic notified FSIS that the new country continues to maintain a meat inspection system under the same laws and regulations as existed when it was a part of Czechoslovakia. These laws and regulations were previously determined by FSIS to be "at least equal to" the meat inspection standards applied to products produced in the United States. Further, FSIS recently determined that the Czech Republic employs qualified and competent inspectors to ensure that the standards are effectively enforced for products prepared for importation into the United States.

The part of Czechoslovakia which became the Slovak Republic has never had any certified meat inspection plants nor had any meat or meat products imported into the United States. Due to this history and absence of other pertinent information, FSIS is uncertain if the Slovak Republic's meat inspection system is "at least equal to" that of the United States. Therefore, the Slovak Republic will be required to request and receive approval from FSIS before it will be deemed eligible to have its meat and meat products imported into the United States.

Effective Date

We are publishing this rule without a prior proposal because we view this action as noncontroversial and anticipate no adverse public comment. This rule will be effective, as published in this document, April 25, 1995 unless we receive written adverse comments or written notice of intent to submit adverse comments by March 27, 1995. Adverse comments are comments that suggest the rule should not be adopted or that suggest the rule should be changed.

If we receive written adverse comments or written notice of intent to submit adverse comments, we will publish a notice in the **Federal Register**