

Live porcine animals	Assessment
0103.91.0000	0.45 percent Customs Entered Value
0103.92.0000	0.45 percent Customs Entered Value

(b) The following HTS categories of imported pork and pork products are subject to assessment at the rates specified.

Pork and pork products	Assessment	
	cents/lb	cents/kg
0203.11.0000 .....	.34	.749564
0203.12.1010 .....	.34	.749564
0203.12.1020 .....	.34	.749564
0203.12.9010 .....	.34	.749564
0203.12.9020 .....	.34	.749564
0203.19.2010 .....	.39	.859794
0203.19.2090 .....	.39	.859794
0203.19.4010 .....	.34	.749564
0203.19.4090 .....	.34	.749564
0203.21.0000 .....	.34	.749564
0203.22.1000 .....	.34	.749564
0203.22.9000 .....	.34	.749564
0203.29.2000 .....	.39	.859794
0203.29.4000 .....	.34	.749564
0206.30.0000 .....	.34	.749564
0206.41.0000 .....	.34	.749564
0206.49.0000 .....	.34	.749564
0210.11.0010 .....	.34	.749564
0210.11.0020 .....	.34	.749564
0210.12.0020 .....	.34	.749564
0210.12.0040 .....	.34	.749564
0210.19.0010 .....	.39	.859794
0210.19.0090 .....	.39	.859794
1601.00.2010 .....	.47	1.036162
1601.00.2090 .....	.47	1.036162
1602.41.2020 .....	.51	1.124346
1602.41.2040 .....	.51	1.124346
1602.41.9000 .....	.34	.749564
1602.42.2020 .....	.51	1.124346
1602.42.2040 .....	.51	1.124346
1602.42.4000 .....	.34	.749564
1602.49.2000 .....	.47	1.036162
1602.49.4000 .....	.39	.859794

Dated: May 7, 1997.

Barry Carpenter,

Director, Livestock and Seed Division.

[FR Doc. 97-12500 Filed 5-12-97; 8:45 am]

BILLING CODE 3410-02-P

DEPARTMENT OF AGRICULTURE

Rural Housing Service; Rural Business-Cooperative Service; Rural Utilities Service; Farm Service Agency

7 CFR Part 1944

RIN 0575-AB43

Housing Preservation Grant Program

AGENCIES: Rural Housing Service, Rural Business-Cooperative Service, Rural Utilities Service, and Farm Service Agency, USDA.

ACTION: Final rule.

SUMMARY: The Rural Housing Service (RHS), a successor agency to the Farmers Home Administration (FmHA), is amending its Housing Preservation Grant regulations. The purpose is to allow replacement housing where the grantee has determined that the costs for repair and rehabilitation on the recipient's (individual homeowners only) existing housing are not economically feasible or practical. These revisions will bring the regulations into conformance with the Housing and Community Development Act of 1992 amending the Housing Preservation Grant program, section 533 of the Housing Act of 1949.

EFFECTIVE DATE: June 12, 1997.

FOR FURTHER INFORMATION CONTACT: Sue M. Harris-Green, Senior Loan Specialist, Multi-Family Housing Processing Division, Rural Housing Service, United States Department of Agriculture, Washington, DC 20250, telephone (202) 720-1606 (this is not a toll-free number).

SUPPLEMENTARY INFORMATION:

Classification

This rule has been determined to be not significant for purposes of Executive Order 12866 and, therefore, has not been reviewed by the Office of Management and Budget (OMB).

Paperwork Reduction Act

The information collection requirements contained in this regulation have been approved by OMB under the provisions of 44 U.S.C. chapter 35 and have been assigned OMB control number 0575-0115 in accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3507). This final rule does not revise or impose any new information collection or recordkeeping requirement from those approved by OMB.

Civil Justice Reform

This final rule has been reviewed under Executive Order 12988, Civil Justice Reform. In accordance with this rule: (1) All state and local laws and regulations that are in conflict with this rule will be preempted; (2) No retroactive effect will be given to this rule; and (3) Administrative proceedings in accordance with the regulations of the agency published at 7 CFR part 11, must be exhausted before bringing suit.

Unfunded Mandates Reform Act

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA), Pub. L. 104-4, established requirements for Federal agencies to assess the effects of their regulatory actions on state, local, and tribal governments and the private sector. Under section 202 of UMRA, Federal agencies generally must prepare a written statement, including a cost-benefit analysis, for proposed and final rules with "Federal mandates" that may result in expenditures to state, local, or tribal governments, in the aggregate, or to the private sector, of \$100 million or more in any one year. When such a statement is needed for a rule, section 205 of the UMRA generally requires RHS to identify and consider a reasonable number of regulatory alternatives and adopt the least costly, more cost-effective or least burdensome alternative that achieves the objectives of the rule.

The rule contains no Federal mandates (under the regulatory provisions of Title II of the UMRA) for state, local, and tribal governments or the private sector. Therefore, this rule is not subject to the requirements of sections 202 and 205 of the UMRA.

Environmental Impact Statement

This document has been reviewed in accordance with 7 CFR part 1940, subpart G, "Environmental Program." It is the determination of RHS that this action does not constitute a major Federal action significantly affecting the quality of the human environment and in accordance with the national Environmental Policy Act of 1969, Pub. L. 91-190, an Environmental Impact Statement is not required.

Programs Affected

This program is listed in the Catalog of Federal Domestic Assistance under number 10.433, Rural Housing Preservation Grants.

Intergovernmental Consultation

This program is subject to the provisions of Executive Order 12372 which requires intergovernmental consultation with state and local officials (7 CFR part 3015, subpart V, 48 FR 29115, June 24, 1983). The Rural Housing Service has conducted intergovernmental consultation in the manner delineated in RD Instruction 1940-J, "Intergovernmental Review of

Farmers Home Administration Programs and Activities.”

Background Information

The final rule incorporates title VII, section 711 of the Housing and Community Development Act of 1992 (Pub. L. 102-550, dated October 28, 1992) amending section 533 of the Housing Act of 1949, 42 U.S.C. 1490m, allowing for replacement housing where the grantee has determined that the costs for repair and rehabilitation on the recipient's (individual homeowners only) existing housing is not economically feasible. RHS is making no other significant changes other than to implement this statutory authority.

Public Comments

The Rural Housing Service received 11 comments on the April 17, 1995, proposed rule (60 FR 19168). The comments were from public and nonprofit organizations, governmental entities, and advocacy groups for housing.

General

Comment: One commented stated that the rule should permit replacement housing when it is less expensive than rehabilitation, even if the dwelling is not beyond repair or rehabilitation.

Rural Housing Service Response: The law restricts the use of housing preservation grant funds for replacement housing if it is not economically feasible for rehabilitation regardless of expense. The Agency, therefore, must only consider the economic feasibility of rehabilitation. In light of the comment and to reduce confusion caused by the term “beyond repair or rehabilitation,” we have changed § 1944.651(a), § 1944.652 (a), and § 1944.653 to state that individual housing that is owner occupied may qualify for replacement housing when it is determined by the grantee that the housing is not economically feasible for repair or rehabilitation.

Comment: Comments were directed to the proposed rule in § 1944.659(b)(2) which requires that an individual homeowner must have been denied an RHS Section 502 loan for replacement housing. The commenters stated that the process will take too long and the language should be materially modified.

Rural Housing Service Response: Section 1944.659(b)(2) has been moved to § 1944.659(b)(3) to require that the grantee and RHS both determine that the owner of the dwelling is unable to afford a loan under Section 502 for replacement housing.

Comment: One commenter stated that the rule should permit the demolition of

the existing housing after the new house is built so that families will have a place to live during construction.

Rural Housing Service Response: The Rural Housing Service has modified § 1944.659(c)(1) to require only that the house be demolished as part of the process of providing replacement housing. It will be determined by the grantee and individual homeowner when is the best time for demolition. However, the existing house must be demolished no later than occupation of the replacement house and cannot be sold.

Comment: One commenter stated that the rule should allow on-site improvements, such as installation of sidewalks, curbs, and off-street parking.

Rural Housing Service Response: Section 1944.664(d)(3) has been revised to add, “and other on-site improvements required by local jurisdictions.”

Comment: One commenter was concerned about the Rural Housing Service's definition of dwelling. The commenter stated that at times a mobile home is the only solution in rural areas.

Rural Housing Service Response: The rule provides for the use of manufactured housing placed on permanent foundation or which will be put on permanent foundation with Housing Preservation Grant (HPG) funds. Manufactured housing is sometimes referred to as a mobile home.

Lists of Subjects in 7 CFR Part 1944

Grant programs—housing and community development, Home improvement, Loan programs—housing and community development, Nonprofit organizations, Reporting and recordkeeping requirements, Rural housing.

Therefore, chapter XVIII, title 7, Code of Federal Regulations is amended as follows:

PART 1944—HOUSING

1. The authority citation for part 1944 continues to read as follows:

Authority: 5 U.S.C. 301; 42 U.S.C. 1480.

Subpart N—Housing Preservation Grants

§ 1944.651 [Amended]

2. Section 1944.651 is amended by revising the phrase “FmHA or its successor agency under Public Law 103-354” to read “RHS” in paragraph (d); and by revising the last sentence and adding a new sentence to the end of paragraph (a) and revising paragraph (b) to read as follows:

§ 1944.651 General.

(a) * * * Such assistance will be used to reduce the cost of repair and rehabilitation, to remove or correct health or safety hazards, to comply with applicable development standards or codes, or to make needed repairs to improve the general living conditions of the residents, including improved accessibility by persons with a disability. Individual housing that is owner occupied may qualify for replacement housing when it is determined by the grantee that the housing is not economically feasible for repair or rehabilitation.

(b) The Rural Housing Service (RHS) will provide Housing Preservation Grant (HPG) assistance to grantees who are responsible for providing assistance to eligible persons without discrimination because of race, color, religion, sex, national origin, age, familial status, or disability.

* * * * *

3. Section 1944.652 is revised to read as follows:

§ 1944.652 Policy.

(a) The policy of RHS is to provide HPG's to grantees to operate a program which finances repair and rehabilitation activities to individual housing, rental properties, or co-ops for very low- and low-income persons. Individual housing that is owner occupied may qualify for replacement housing when it is determined by the grantee that the housing is not economically feasible for repair or rehabilitation. Grantees are expected to:

(1) Coordinate and leverage funding for repair and rehabilitation activities, as well as replacement housing, with housing and community development organizations or activities operating in the same geographic area; and

(2) Focus the program on rural areas and smaller communities so that it serves very low and low-income persons.

(b) RHS intends to permit grantees considerable latitude in program design and administration. The forms or types of assistance must provide the greatest long-term benefit to the greatest number of persons residing in individual housing, rental properties, or co-ops needing repair and rehabilitation or replacement of individual housing.

(c) Repairs and rehabilitation or replacement activities affecting properties on or eligible for listing on the National Register of Historic Places will be accomplished in a manner that supports national historic preservation objectives as specified in § 1944.673.

4. Section 1944.653 is amended by adding a sentence to the end of the section to read as follows:

§ 1944.653 Objective.

* * * Further, individual housing that is owner occupied may qualify for replacement housing when it is determined by the grantee that the housing is not economically feasible for repair or rehabilitation, except as specified in § 1944.659.

5. Section 1944.656 is amended by revising the definitions of "Housing preservation," "Overcrowding," "Rural area," and "Very low-income," by removing the definition of "Adjusted annual income," and by adding definitions of "Adjusted income," "HPG," "Replacement housing," and "RHS" in alphabetical order to read as follows:

§ 1944.656 Definitions.

* * * * *

Adjusted income. As defined in 7 CFR 3550.54(c).

* * * * *

Housing preservation. The repair and rehabilitation activities that contribute to the health, safety, and well-being of the occupant, and contribute to the structural integrity or long-term preservation of the unit. As a result of these activities, the overall condition of the unit or dwelling must be raised to meet RHS Thermal Standards for existing structures and applicable development standards for existing housing recognized by RHS in part 1924, subpart A, of this chapter or standards contained in any of the voluntary national model codes acceptable upon review by RHS. Properties included on or eligible for inclusion on the National Register of Historic Places are subject to the standards and conditions of § 1944.673. The term "housing preservation" does not apply to replacement housing.

HPG. Housing Preservation Grant.

* * * * *

Overcrowding. The guidelines in the table in this definition are designed to assist grantees in implementing occupancy standards. Part 1930, subpart C, exhibit B, paragraph VID2, of this chapter (available in any Rural Development State or District Office) gives further guidance. The table follows:

Number of bedrooms	Ideal number of persons
0	2
1	2
2	4
3	6

Number of bedrooms	Ideal number of persons
4	8
5	10

* * * * *

Replacement housing. The replacement of existing, individual owner occupied housing where repair and rehabilitation assistance is not economically feasible or practical. The term replacement housing does not apply to housing preservation. The overall condition of the unit or dwelling must meet RHS Thermal Standards for new or existing structures and applicable development standards for new or existing housing recognized by RHS in part 1924, subpart A, of this chapter or standards contained in any of the voluntary national model codes acceptable upon review by RHS. Properties included on or eligible for inclusion on the National Register of Historic Places are subject to the standards and conditions of § 1944.673 prior to replacement.

RHS. RHS means the Rural Housing Service, or a successor agency.

Rural area. The definition in 7 CFR part 3550 applies.

* * * * *

Very low-income. An adjusted annual income that does not exceed the very low-income limit according to size of household as established by HUD for the county of MSA where the property is located. Maximum very low-income limits are set forth in 7 CFR part 3550.

§ 1944.658 [Amended]

6. Section 1944.658 is amended by adding the words "as well as for replacement housing" after the word "assistance" in paragraph (a)(2).

7. Section 1944.659 is added to read as follows:

§ 1944.659 Replacement housing.

Replacement housing applies only to existing, individual owner occupied housing. Replacement housing does *not* apply to rental properties (single-unit or multiple-unit) or to cooperative housing projects. The grantee is responsible for determining the extent of the repairs and rehabilitation prior to any assistance given to an individual homeowner. If the cost of such repairs and rehabilitation is not economically feasible, then the grantee may consider replacing the existing housing with replacement housing, subject to the following:

- (a) The HPG grantee:
 - (1) Shall document the total costs for all repairs and rehabilitation of the existing housing; and

(2) Shall document the basis for the determination that the costs for all repairs and rehabilitation for the existing housing are not economically feasible.

(b) The individual homeowner:

(1) Must meet all requirements of § 1944.661;

(2) Must lack the income and repayment ability to replace their existing home without the assistance of the HPG grantee;

(3) Must have been determined by the HPG grantee and RHS to be unable to afford a loan under section 502 for replacement housing; and

(4) Must be able to afford the replacement housing on terms set forth by the HPG grantee.

(c) The existing home:

(1) Must be demolished as part of the process of providing replacement housing. It will be determined by the grantee and individual homeowner when is the best time for demolition; and

(2) May not be sold to make way for the replacement housing.

(d) The replacement housing:

(1) May be either new housing or a dwelling brought onto the site of the existing housing;

(2) May use no more than \$15,000 in HPG funds;

(3) Must meet all applicable requirements of 7 CFR 3550.57; and

(4) May not be sold within 5 years of completion of the project.

(e) Any moneys received by the homeowner from selling salvaged material after demolishing the existing home must be used towards the replacement housing.

§ 1944.661 [Amended]

8. Section 1944.661 is amended by revising the reference "§1944.8 of subpart A of this part" to read "7 CFR 3550.54(c)" in paragraph (a), and by revising the introductory text of paragraph (b)(2) and paragraph (b)(3) to read as follows:

§ 1944.661 Individual homeowners—eligibility for HPG assistance.

* * * * *

(b) * * *

(2) An undivided or divided interest in the property to be repaired, rehabilitated, or replaced when not all of the owners are occupying the property. HPG assistance may be made in such cases when:

* * * * *

(3) A leasehold interest in the property to be repaired, rehabilitated, or replaced. When the potential HPG recipient's "ownership" interest in the property is based on a leasehold

interest, the lease must be in writing and a copy must be included in the grantee's file. The unexpired portion of the lease must not be less than 5 years and must permit the recipient to make modifications to the structure without increasing the recipient's lease cost.

* * * * *

§ 1944.664 [Amended]

9. Section 1944.664 is amended by redesignating paragraphs (d) through (g) as paragraphs (e) through (h), respectively; by revising the words "to make improvements that" to read "where they" in the first sentence of the introductory text of newly redesignated paragraph (f); by adding the words "or replacement housing" after the word "preservation" in the introductory text of newly redesignated paragraph (g); and by revising the section heading, paragraph (a), and newly redesignated paragraphs (h)(1) and (h)(3) and by adding a new paragraph (d) to read as follows:

§ 1944.664 Housing preservation and replacement housing assistance.

(a) Grantees are responsible for providing loans, grants, or other comparable assistance to homeowners, owners of rental properties or co-ops for housing preservation or for replacement housing as described in §1944.656.

* * * * *

(d) Authorized replacement housing assistance includes, but is not limited to:

(1) Building a dwelling and providing related facilities for use by the individual homeowner as a permanent resident;

(2) Providing a safe and sanitary water and waste disposal system, together with related plumbing and fixtures, which will meet local health department requirements;

(3) Providing minimum site preparation and other on-site improvement including grading, foundation plantings, and minimal landscaping, and other on-site improvements required by local jurisdictions;

(4) Providing special design features or equipment when necessary because of physical handicap or disability of the HPG recipient or member of the household;

(5) Purchasing and installing approved energy saving measures and approved furnaces and space heaters which use a type of fuel that is commonly used, and is economical and dependably available;

(6) Providing storm cellars and similar protective structures, if typical for the area;

(7) Paying real estate taxes which are due and payable on the existing dwelling or site at the time of closing, if this amount is not a substantial part of the HPG assistance. (HPG assistance may not be made available if the real estate taxes which are due and payable are not paid at the time assistance is granted.);

(8) Providing living area for the HPG recipient and all members of the household as required in 7 CFR 3550.54(c);

(9) Moving a dwelling onto the site of the demolished, previously existing housing and meeting all HPG housing preservation requirements for repair and rehabilitation;

(10) Providing funds for demolishing the existing housing; and

(11) Any other cost that is reasonable and justifiable directly related to replacement activities.

* * * * *

(h) * * *

(1) Assist in the construction or completion of an addition (excluding paragraph (c)(11) of this section) or a new dwelling. This paragraph does not apply to replacement housing.

* * * * *

(3) Repair or rehabilitate as well as replace any property located in the Coastal Barrier Resources System.

10. Section 1944.665 is amended by revising the section heading and the first sentence to read as follows:

§ 1944.665 Supervision and inspection of work.

Grantees are responsible for supervising all rehabilitation and repair work, as well as replacement housing financed with HPG assistance. * * *

§ 1944.666 [Amended]

11. Section 1944.666 is amended by revising the reference "§ 1944.64(f)" to read "§ 1944.664(g)" in the last sentence of paragraph (b)(3); and by adding the words "as well as for replacement housing (individual homeowners only)" after the word "rehabilitation" in paragraph (b)(6).

§ 1944.667 [Amended]

12. Section 1944.667 is amended by adding the words "or for individual homes replaced," after the word "rehabilitated" in the second sentence of the introductory text of paragraph (a).

13. Section 1944.670 is amended by revising paragraph (b) to read as follows:

§ 1944.670 Project income.

* * * * *

(b) Grantees are encouraged to establish a program which reuses income from loans after the grant period

for continuing repair and rehabilitation activities, as well as for individual housing replaced.

§ 1944.671 [Amended]

14. Section 1944.671 is amended by adding "/disability" after the word "handicap" in the first sentence of the introductory text of paragraph (a), and by revising paragraph (a)(2) to read as follows:

§ 1944.671 Equal opportunity requirements and outreach efforts.

* * * * *

(a) * * *

(2) The term "residential and real estate-related transaction" includes the making or purchasing of loans, grants, or other financial assistance for purchasing, constructing, improving, repairing, or rehabilitating a unit or dwelling, as well as for replacement housing for individual homeowners.

* * * * *

15. Section 1944.672 is amended by revising paragraphs (a), (b), and (d) to read as follows:

§ 1944.672 Environmental requirements.

* * * * *

(a) The approval of an HPG grant for the repair, rehabilitation, or replacement of dwellings shall be a Class I action. As part of their preapplication materials, applicants shall submit Form RD 1940-20, "Request for Environmental Information," for the geographical areas proposed to be served by the program. The applicant shall refer to exhibit F-1 of this subpart (available in any Rural Development State or District Office) when completing Form RD 1940-20. Further guidance on completing this form is available from the Agency office servicing the program.

(b) The use of HPG funds by the grantee to repair, rehabilitate, or replace on the same site, specific dwellings is generally exempt from an RHS environmental review. However, if such dwellings are located in a floodplain, wetland, or the proposed work is not concurred in by the Advisory Council on Historic Preservation under the requirements of §1944.673, an RHS environmental review is required. Dwellings within the Coastal Barrier Resources System are not eligible for HPG assistance. Applicants must include in their preapplication a process for identifying dwellings that may receive housing preservation or replacement housing assistance that will require an environmental assessment. This may be accomplished through use of exhibit F-2 of this subpart (available in any Rural Development State or District Office) or another process

supplying similar information acceptable to RHS.

* * * * *

(d) When a dwelling requiring an environmental assessment is proposed for HPG assistance, the grantee will immediately contact the RHS office designated to service the HPG grant. Prior to approval of HPG assistance to the recipient by the grantee, RHS will prepare the environmental assessment in accordance with part 1940, subpart G, of this chapter with the assistance of the grantee, as necessary. Paragraph VIII of exhibit C of this subpart (available in any Rural Development State or District Office) provides further guidance in this area.

* * * * *

16. Section 1944.673 is amended by revising the section heading and paragraph (b) to read as follows:

§ 1944.673 Historic preservation and replacement housing requirements and procedures.

* * * * *

(b) Each applicant for an HPG grant will provide, as part of its preapplication documentation submitted to RHS, a description of its proposed process for assisting very low- and low-income persons owning historic properties needing rehabilitation, repair, or replacement. "Historic properties" are defined as properties that are listed or eligible for listing on the National Register of Historic Places. Each HPG proposal shall comply with the provisions of Stipulation I, A-G of the PMOA (RD Instruction 2000-FF), available in any Rural Development State or District Office. Should RHS be required to assume responsibility for compliance with 36 CFR part 800 in accordance with Stipulation III of the PMOA, the grantee will assist RHS in preparing an environmental assessment. RHS will work with the grantee to develop alternative actions or mitigation measures, as appropriate.

* * * * *

§ 1944.683 [Amended]

17. Section 1944.683 is amended by redesignating paragraphs (b)(3) through (b)(7) as paragraphs (b)(4) through (b)(8), respectively; by adding the words "as well as for replacement housing" after the word "rehabilitation" in newly redesignated paragraph (b)(4)(i) and after the word "financed" in newly redesignated paragraph (b)(8); and by adding a new paragraph (b)(3) to read as follows:

§ 1944.683 Reporting requirements.

* * * * *

(b) * * *

(3) The use of HPG and any other funds for replacement housing.

* * * * *

18. Section 1944.700 is revised to read as follows:

§ 1944.700 OMB control number.

According to the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35), no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for the information collection in this subpart is 0575-0115.

Dated: April 17, 1997.

Jill Long Thompson,

Under Secretary, Rural Development.

[FR Doc. 97-12315 Filed 5-12-97; 8:45 am]

BILLING CODE 3410-XV-U

DEPARTMENT OF AGRICULTURE

Food Safety and Inspection Service

9 CFR Parts 308, 310, 381, and 416

[Docket No. 93-016T]

RIN 0583-AC28

Pathogen Reduction; Hazard Analysis and Critical Control Point (HACCP) Systems; Technical Corrections and Amendments

AGENCY: Food Safety and Inspection Service, USDA.

ACTION: Final rule.

SUMMARY: FSIS is making technical corrections and amendments to the final rule, "Pathogen Reduction; Hazard Analysis and Critical Control Point (HACCP) Systems," published on July 25, 1996. This document responds to technical and scientific questions raised in the final rule regarding *E. coli* testing and to issues discussed at the "Technical Conference Regarding *E. coli* Verification Testing," the "Pathogen Reduction/HACCP National Implementation Conference," and the "Regional Implementation Conferences." Also, this document clarifies ambiguities brought to FSIS' attention and provides guidance on various technical issues. Additionally, this document corrects inadvertent omissions and addresses minor editorial oversights.

EFFECTIVE DATE: June 12, 1997.

ADDRESSES: Reference materials cited in this docket will be available for public inspection in the FSIS Docket Room, Room 3806, 1400 Independence Ave SW, Washington, DC 20250 from 8:30

a.m. to 1:00 p.m. and from 2:00 p.m. to 4:30 p.m., Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Ms. Patricia Stolfa, Assistant Deputy Administrator, Office of Policy, Program Development and Evaluation, (202) 205-0699.

SUPPLEMENTARY INFORMATION:

Background

On July 25, 1996, FSIS published a final rule, "Pathogen Reduction; Hazard Analysis and Critical Control Point (HACCP) Systems," (61 FR 38806). The new regulations (1) require that each establishment develop, implement, and maintain written sanitation standard operating procedures (Sanitation SOP's); (2) require regular microbial testing for generic *E. coli* by slaughter establishments to verify the adequacy of the establishments' process controls for the prevention and removal of fecal contamination and associated bacteria; (3) establish pathogen reduction performance standards for *Salmonella* that slaughter establishments and establishments producing raw ground products must meet; and (4) require that all meat and poultry establishments develop and implement a system of preventive controls designed to improve the safety of their products, known as HACCP (Hazard Analysis and Critical Control Points).

With respect to the generic *E. coli* testing requirement, a number of questions were posed in the final rule, especially about how the requirement would be applied and what testing results might indicate in establishments that slaughter livestock.

Responses to those questions were received through written comments; through presentations and discussions at a public meeting convened by FSIS on September 12-13, 1996, specifically to discuss the generic *E. coli* testing requirement; at a national implementation conference in Washington, DC, September 30—October 3, 1996; and six subsequent regional implementation conferences occurring on October 15, 17, 22, 24, November 7 and 13, 1996, and at numerous briefings presented by FSIS representatives to a variety of audiences. Additionally, FSIS held the conference, "Sanitation Standard Operating Procedures (Sanitation SOP's) and *E. coli* Testing Requirements," on January 23, 1997.

Through these comments and meetings, a number of technical questions have arisen which indicate the need for further clarification. Some of these have required a change in the