

Rainbow Agar, and reacts specifically with O157 antiserum.

- **Confirmed Positive**—a biochemically-identified *Escherichia coli* isolate that is serologically or genetically determined to be “O157” that meets at least one of the following criteria:

- (1) Positive for Shiga toxin (ST) production
- (2) Positive for the Shiga toxin gene (stx)
- (3) Genetically determined to be “H7”

If an FSIS laboratory’s confirmatory test results are insufficient to allow identification of *E. coli* O157:H7, then the isolate is transferred to the Outbreaks Section of the Eastern Laboratory Microbiology Branch (OSEL), or to an FSIS reference laboratory, for further testing prior to issuance of a report of the test results.

#### State Programs and Foreign Government Programs

States that have their own meat inspection programs for meat products produced and transported solely within the State are required to have mandatory ante mortem and post mortem inspection, reinspection, and sanitation requirements that are at least equal to those in the Federal Meat Inspection Act (21 U.S.C. 661(a)(1)). Therefore, these States’ sampling procedures and testing methods for *E. coli* O157:H7 in raw beef products must be at least as sensitive as FSIS’ procedures and testing methods for *E. coli* O157:H7.

Foreign countries that are eligible to export meat products to the United States must apply inspection, sanitary, and other standards that are equivalent to those that FSIS applies to those products (21 U.S.C. 620). Thus, in evaluating a foreign country’s meat inspection system to determine the country’s eligibility to export products to the United States, FSIS considers whether the testing methods and procedures for *E. coli* O157:H7 that the country applies are equivalent to those that FSIS uses.

#### Establishment Testing or Testing on Behalf of Establishments (Non-FSIS Laboratories)

As discussed above, FSIS will use genetic testing to determine “O157” and “H7” identity in circumstances where atypical serology or other reactions are encountered. The genetic testing now used by FSIS laboratories for identification of certain strains of *E. coli* O157:H7 detected in FSIS laboratories may pose some difficulties for non-FSIS laboratories. Some non-FSIS laboratories may not be able to conduct genetic analyses because they do not

have the necessary resources. Moreover, the improper application of a less robust or inadequately validated genetic test by a laboratory might lead to a false negative or other misleading results.

FSIS believes that alternative criteria for confirmatory identification of *E. coli* O157:H7 or *E. coli* O157:H7-like bacteria may be appropriate if it is equivalent to the criteria used by FSIS. To be regarded as equivalent to the FSIS criteria, a test would have to detect all hypothetical *E. coli* O157:H7 strains, typical or variant, that would be identified using FSIS’ confirmatory testing procedures and criteria.

For establishment testing or testing on behalf of an establishment, FSIS recognizes that other criteria, while not used specifically by FSIS for identification of *E. coli* O157:H7, may be a significant and expedient indicator of the presence of *E. coli* O157:H7 in products. Such tests might be applied as rapid screening procedures to expedite analyses. If an establishment uses or contracts with a laboratory that uses such rapid screening procedures, and product is found positive by that test, FSIS expects the establishment to take appropriate corrective action and to ensure the proper disposition of adulterated products following a positive test result (9 CFR 417.3).

#### 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, 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 the Listserv and Web page, FSIS is able to provide information to a much broader and more diverse audience. In addition, FSIS offers an e-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/). Information is available about a variety of topics including recalls, exports, regulations, directives, and notices. Customers can add or delete subscriptions themselves, and they have the option to password protect their accounts.

Done at Washington, DC, on September 4, 2008.

**Alfred V. Almanza,**  
Administrator.

[FR Doc. E8–21575 Filed 9–15–08; 8:45 am]

**BILLING CODE 3410-DM-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

#### The Manufacturing Council: Meeting

**AGENCY:** International Trade Administration, U.S. Department of Commerce.

**ACTION:** Supplemental Notice of a Meeting.

**SUMMARY:** The Manufacturing Council will hold a meeting to deliberate for approval a draft letter of recommendation on Sustainable Manufacturing metrics.

**DATES:** September 23, 2008.

**TIME:** 4 p.m. (EDT).

**ADDRESSES:** Louise Slaughter Building Conference Room 2120, Rochester Institute of Technology, Center for Integrated Manufacturing Studies, 111 Lomb Memorial Drive, Rochester, NY 14623.

**FOR FURTHER INFORMATION, CONTACT:** The Manufacturing Council Executive Secretariat, Room 4043, Washington, DC 20230 (Phone: 202–482–1369), or visit the Council’s Web site at <http://www.manufacturing.gov/council>.

Dated: September 11, 2008.

**Kate Sigler,**  
Executive Secretary, The Manufacturing Council.

[FR Doc. E8–21572 Filed 9–11–08; 4:15 pm]

**BILLING CODE 3510-DR-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-XK41**

#### Atlantic Highly Migratory Species; Meeting of the Atlantic Highly Migratory Species Advisory Panel

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and

Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of public meeting, public hearing, and scoping meetings.

**SUMMARY:** NMFS will hold a 3-day Atlantic Highly Migratory Species (HMS) Advisory Panel (AP) meeting in September and October 2008. The intent of the meeting is to consider options for the conservation and management of Atlantic HMS. The meeting is open to the public. A public hearing and scoping meetings will be held in conjunction with the AP meeting.

**DATES:** The AP meeting will be held from 1 p.m. to 6 p.m. on Tuesday, September 30, 2008, from 8:30 a.m. to 6 p.m. on Wednesday, October 1, 2008; and from 8:30 a.m. to 12 noon on Thursday, October 2, 2008. See **SUPPLEMENTARY INFORMATION** for public hearing and scoping meeting dates, times, and locations.

**ADDRESSES:** All meetings will be held at the Crowne Plaza Hotel, 8777 Georgia Avenue, Silver Spring, MD 20910.

**FOR FURTHER INFORMATION CONTACT:** Othel Freeman or Chris Rilling at 301-713-2347.

**SUPPLEMENTARY INFORMATION:** The Magnuson-Stevens Fishery Conservation and Management Act, 16 U.S.C. 1801 *et seq.*, as amended by the Sustainable Fisheries Act, Public Law 104-297, provided for the establishment of an AP to assist in the collection and evaluation of information relevant to the development of any Fishery Management Plan (FMP) for HMS. NMFS consults with and considers the comments and views of AP members when preparing and implementing FMPs or FMP amendments for Atlantic tunas, swordfish, billfish, and sharks. The AP has previously consulted with NMFS on: the HMS FMP (April 1999), Amendment 1 to the HMS FMP (December 2003), Amendment 1 to the Billfish FMP (April 1999), the Consolidated HMS FMP (October 2006), and Amendments 1 and 2 to the Consolidated HMS FMP (April 2008). The September and October 2008 AP meeting will focus on conservation and management options for Atlantic tunas, swordfish, billfish, and sharks. NMFS is considering several amendments to the 2006 Consolidated HMS FMP, including an amendment to update essential fish habitat, an amendment to rebuild blacknose sharks which are overfished with overfishing occurring, and an amendment to improve permitting and reporting and address other relevant management issues in Caribbean HMS fisheries. As listed in the table below, NMFS will hold a public hearing and

scoping meetings to receive comments from the AP and members of the public.

Public Hearing and Scoping Meetings	Date	Location
Public hearing for Essential Fish Habitat Draft Amendment 1 to the Consolidated HMS FMP	September 30, 2008; 3:30-4:30 p.m.	Crowne Plaza Hotel, 8777 Georgia Ave., Silver Spring, MD 20910
Scoping meeting for Small Coastal Shark Draft Amendment 3 to the Consolidated HMS FMP	October 1, 2008; 3:30-4:30 p.m.	Crowne Plaza Hotel, 8777 Georgia Ave., Silver Spring, MD 20910
Scoping meeting for Caribbean Draft Amendment 4 to the Consolidated HMS FMP	October 2, 2008; 8:30-9:30 a.m.	Crowne Plaza Hotel, 8777 Georgia Ave., Silver Spring, MD 20910

#### Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Othel Freeman at (301) 713-2347, at least 7 days prior to the meeting.

Dated: September 11, 2008.

**James P. Burgess**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. E8-21596 Filed 9-15-08; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-XK34**

#### Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Target and Missle Launch Activities at San Nicolas Island, CA

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice; receipt of application for letter of authorization; request for comments and information.

**SUMMARY:** NMFS has received a request from the U.S. Navy (Navy) for

authorization for the take of marine mammals incidental to vehicle launches from San Nicolas Island (SNI), California, for the period 2009-2014. Pursuant to the Marine Mammal Protection Act (MMPA), NMFS is announcing receipt of the Navy's request for the development and implementation of regulations governing the incidental taking of marine mammals and inviting information, suggestions, and comments on the Navy's application and request.

**DATES:** Comments and information must be received no later than October 16, 2008.

**ADDRESSES:** Comments on the application should be addressed to P. Michael Payne, Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910-3225. The mailbox address for providing email comments is [PR1.0648XK34@noaa.gov](mailto:PR1.0648XK34@noaa.gov). Comments sent via e-mail, including all attachments, must not exceed a 10-megabyte file size.

**FOR FURTHER INFORMATION CONTACT:** Candace Nachman, Office of Protected Resources, NMFS, (301) 713-2289, ext. 156.

#### SUPPLEMENTARY INFORMATION:

##### Availability

A copy of the Navy's application may be obtained by writing to the address specified above (**ADDRESSES**), telephoning the contact listed above (**FOR FURTHER INFORMATION CONTACT**), or visiting the internet at <http://www.nmfs.noaa.gov/pr/permits/incidental.htm>. The Navy's Final Environmental Impact Statement (FEIS) for the Point Mugu Sea Range was made available to the public in March, 2002. To obtain a copy of the FEIS, contact Steven Schwartz, Naval Air Warfare Center Weapons Division (NAWCWD), via email at [steven.schwartz@navy.mil](mailto:steven.schwartz@navy.mil).

##### Background

Sections 101(a)(5)(A) and (D) of the MMPA (16 U.S.C. 1361 *et seq.*) direct the Secretary of Commerce (Secretary) to allow, upon request, the incidental, but not intentional taking of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) if certain findings are made and regulations are issued or, if the taking is limited to harassment, notice of a proposed authorization is provided to the public for review.

Authorization for incidental takings may be granted if NMFS finds that the taking will have a negligible impact on