

# Notices

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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.

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## DEPARTMENT OF AGRICULTURE

### Food Safety and Inspection Service

[Docket No. FSIS-2011-0033]

#### Notice of Availability and Opportunity for Comments (Establishment Guidance for the Selection of a Commercial or Private Microbiological Testing Laboratory)

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

**ACTION:** Notice of availability and opportunity for comments.

**SUMMARY:** The Food Safety and Inspection Service (FSIS) is announcing the availability of policy guidance for federally inspected establishments in the selection of commercial and private microbiological testing laboratories. FSIS has posted this policy guidance on its Web page [http://www.fsis.usda.gov/Regulations\\_Policies/Compliance\\_Guides\\_Index/index.asp#Micro](http://www.fsis.usda.gov/Regulations_Policies/Compliance_Guides_Index/index.asp#Micro).

FSIS encourages establishments that prepare meat, poultry, or processed egg products to follow the criteria in the guidelines in selecting commercial or private microbiological testing laboratories and in determining their capability to provide accurate and reliable results. Regulated establishments are required to enter into commerce food products that are safe and not adulterated or misbranded. Establishments that select laboratories that do not apply appropriate testing methods or maintain effective Quality Control or Quality Assurance (QC/QA) practices may not receive reliable or useful test results from the laboratory and run the risk of producing food that is unsafe.

**DATES:** Written comments may be submitted until May 7, 2012.

**ADDRESSES:** FSIS invites interested persons to submit comments regarding any aspect of this document, including

but not limited to: Content, readability, applicability, and accessibility, and will revise the guidance document as warranted. Comments may be submitted by either of the following methods:

**Federal eRulemaking Portal:** This Web site provides the ability to type short comments directly into the comment field on this Web page or attach a file for lengthier comments. Go to <http://www.regulations.gov>. Follow the on-line instructions at that site for submitting comments.

**Mail, including floppy disks or CD-ROMs, and hand- or courier-delivered items:** Send to Docket Clerk, U.S. Department of Agriculture (USDA), FSIS, OPPD, RIMD, Docket Unit, Patriots Plaza 3, 1400 Independence Avenue SW., Mail Stop 3782, 8-163A, Washington, DC 20250-3700.

**Instructions:** All items submitted by mail or electronic mail must include the Agency name and docket number FSIS-2011-0033. Comments received in response to this docket will be made available for public inspection and posted without change, including any personal information, to <http://www.regulations.gov>.

**Docket:** For access to background documents or comments received, go to the FSIS Docket Room at the address listed above between 8:30 a.m. and 4:30 p.m., Monday through Friday.

**FOR FURTHER INFORMATION CONTACT:** Evelyne Mbandi, Deputy Director, Risk, Innovations, and Management Division, U.S. Department of Agriculture, Food Safety and Inspection Service, Patriots Plaza 3, 355 E. Street SW., Mail Stop 3782, Washington, DC 20250-3700; email: [evelyne.mbandi@fsis.usda.gov](mailto:evelyne.mbandi@fsis.usda.gov); phone: (301) 504-0897.

#### SUPPLEMENTARY INFORMATION:

##### Background

FSIS is issuing a guidance document to provide criteria to establishments producing meat, poultry, and processed egg products for selecting a commercial or private laboratory to analyze establishments' samples. Regulated establishments are ultimately responsible for the laboratory's testing methodologies and practices performed on their behalf.

An FSIS-regulated establishment may perform microbiological testing for various reasons, including, but not limited to the following: Fulfilling regulatory requirements, supporting on-

going verification of the establishment's HACCP plan, supporting decisions made in the establishment's hazard analysis, evaluating the effectiveness of the establishment's sanitation program, or complying with purchase specifications or requirements.

FSIS encourages establishments to use this guidance for selecting commercial or private laboratories and for ensuring that microbiological testing performed on their behalf meets their food safety needs. FSIS also welcomes comment on this compliance guideline, which will be revised as needed.

#### USDA Nondiscrimination Statement

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's Target Center at 202-720-2600 (voice and TTY).

To file a written complaint of discrimination, write USDA, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue SW., Washington, DC 20250-9410 or call 202-720-5964 (voice and TTY). USDA is an equal opportunity provider and employer.

#### Additional Public Notification

FSIS will announce this notice online through the FSIS Web page located at [http://www.fsis.usda.gov/regulations\\_policies/Federal\\_Register\\_Notices/index.asp](http://www.fsis.usda.gov/regulations_policies/Federal_Register_Notices/index.asp).

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. 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\\_&\\_Events/Email\\_Subscription/](http://www.fsis.usda.gov/News_&_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 5, 2012.

**Alfred V. Almanza,**  
*Administrator.*

[FR Doc. 2012-5664 Filed 3-7-12; 8:45 am]

**BILLING CODE 3410-DM-P**

## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Docket 12-2012]

#### **Foreign-Trade Zone 189—Kent, Ottawa, and Muskegon Counties, MI; Application for Reorganization Under Alternative Site Framework**

An application has been submitted to the Foreign-Trade Zones (FTZ) Board (the Board) by the Kent-Ottawa-Muskegon Foreign-Trade Zone Authority, grantee of FTZ 189, requesting authority to reorganize the zone under the alternative site framework (ASF) adopted by the Board (74 FR 1170, 1/12/09 (correction 74 FR 3987, 1/22/09); 75 FR 71069-71070, 11/22/10). The ASF is an option for grantees for the establishment or reorganization of general-purpose zones and can permit significantly greater flexibility in the designation of new “usage-driven” FTZ sites for operators/users located within a grantee’s “service area” in the context of the Board’s standard 2,000-acre activation limit for a general-purpose zone project. The application was submitted pursuant to the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a-81u), and the regulations of the Board (15 CFR part 400). It was formally filed on March 1, 2012.

FTZ 189 was approved by the Board on January 15, 1993 (Board Order 616, 58 FR 6614, 2/1/1993). The current zone project includes the following sites: *Site 1* (8 acres)—44th Street and Clay Avenue, Wyoming, Kent County; *Site 2* (18 acres)—1920 Lakeshore Drive, Muskegon, Muskegon County; *Site 3* (64 acres)—5353 52nd Street, Cascade Township, Kent County; *Site 4* (40 acres)—500 Mart Street, Muskegon,

Muskegon County; *Site 5* (5 acres)—449 Howard Avenue, Holland Township, Ottawa County; *Site 6* (80 acres)—48th & Thornapple River Drive, Cascade Township, Kent County; *Site 7* (1.15 acres)—1210 & 1218 East Pontaluna Road, Norton Shores, Muskegon County; *Site 8* (15 acres)—900 Hall Street SW., Grand Rapids, Kent County; and *Site 9* (6 acres)—2900 Dixie Street, Grandville, Kent County.

The grantee’s proposed service area under the ASF would be Kent, Ottawa and Muskegon Counties, Michigan, as described in the application. If approved, the grantee would be able to serve sites throughout the service area based on companies’ needs for FTZ designation. The proposed service area is within and adjacent to the Grand Rapids Customs and Border Protection port of entry.

The applicant is requesting authority to reorganize its existing zone project to include all of the existing sites as “magnet” sites. The ASF allows for the possible exemption of one magnet site from the “sunset” time limits that generally apply to sites under the ASF, and the applicant proposes that Site 9 be so exempted. No usage-driven sites are being requested at this time. Because the ASF only pertains to establishing or reorganizing a general-purpose zone, the application would have no impact on FTZ 189’s authorized subzones.

In accordance with the Board’s regulations, Elizabeth Whiteman of the FTZ Staff is designated examiner to evaluate and analyze the facts and information presented in the application and case record and to report findings and recommendations to the Board.

Public comment is invited from interested parties. Submissions (original and 3 copies) shall be addressed to the Board’s Executive Secretary at the address below. The closing period for their receipt is May 7, 2012. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period to May 22, 2012.

A copy of the application will be available for public inspection at the Office of the Executive Secretary, Foreign-Trade Zones Board, Room 2111, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230-0002, and in the “Reading Room” section of the Board’s Web site, which is accessible via [www.trade.gov/ftz](http://www.trade.gov/ftz). For further information, contact Elizabeth Whiteman at [Elizabeth.Whiteman@trade.gov](mailto:Elizabeth.Whiteman@trade.gov) or (202) 482-0473.

Dated: March 1, 2012.

**Andrew McGilvray,**  
*Executive Secretary.*

[FR Doc. 2012-5688 Filed 3-7-12; 8:45 am]

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## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Docket T-3-2012]

#### **Foreign-Trade Zone 126—Reno, NV; Application for Temporary/Interim Manufacturing Authority, Brightpoint North America L.P. (Cell Phone Kitting and Distribution), Reno, NV**

An application has been submitted to the Executive Secretary of the Foreign-Trade Zones Board (the Board) by the Economic Development Authority of Western Nevada, grantee of FTZ 126, requesting temporary/interim manufacturing (T/IM) authority within 126 at the Brightpoint North America L.P. (Brightpoint) facility, located in Reno, Nevada. The application was filed on March 2, 2012.

The Brightpoint facility (80 employees, 5.87 acres, 20 million units annual capacity) is located at 1025 Sandhill Road, Reno (Site 23). Under T/IM procedures, the company has requested authority to produce cell phone kits (HTSUS 8517.12, 8517.69, duty free). Foreign components that would be used in production (representing 70-90% of the value of the finished product) include power supplies (8504.40, 8504.50, 8504.90), nicad batteries (8507.80), lithium batteries (8507.30), cellular phone sets (8517.11), video phones (8517.18), base stations (8517.61), voice, data and image regeneration machines (8517.62), microphones (8518.10), answering machines (8519.50), video recorders (8521.10, 8521.90), answering machine and video recorder components (8522.10, 8522.90), transceivers (8525.60), monitors and projectors (8528.41, 8528.49, 8528.51, 8528.59, 8528.71, 8528.72, 8528.73), transceiver, monitor and projector parts and accessories (8529.10, 8529.90), thermionic, cathode and photocathode tubes (8540.11, 8540.12, 8540.20, 8540.40, 8540.50, 8540.60, 8540.71, 8540.72, 8540.79, 8540.81, 8540.89, 8540.91, 8540.99), cables (8544.42), connectors and plugs (8536.69), decals (3919.90), plastic holsters (3926.90), leather carrying cases (4202.31), leather pouches (4202.91), plastic carrying cases (4202.92), leather straps (4205.00), wrist straps (6307.90), key pads with connectors (8537.10), external speaker sets (8518.22), headsets with