

*Description of Respondents:* Business or other for-profit.

*Number of Respondents:* 140.

*Frequency of Responses:* Reporting: On occasion.

*Total Burden Hours:* 630.

*Title:* Importation of Papaya from Colombia and Ecuador.

*OMB Control Number:* 0579-0358.

*Summary of Collection:* Under the Plant Protection Act (7 U.S.C. 7701 et seq.), the Secretary of Agriculture is authorized to carry out operations or measures to detect, eradicate, suppress, control, prevent, or retard the spread of plant pests new to the United States or not known to be widely distributed throughout the United States. The Animal and Plant Health Inspection Service (APHIS) amended the regulations to allow, under certain condition, the importation of commercial shipments of fresh papaya from Colombia and Ecuador in the continental United States.

*Need and Use of the Information:* APHIS requires that all consignments of papaya from Colombia and Ecuador would have to be accompanied by a phytosanitary certificate by the National Plant Protection Organization of the exporting country stating that the papayas were grown, packed, and shipped in accordance with the proposed requirements.

*Description of Respondents:* Federal Government.

*Number of Respondents:* 3.

*Frequency of Responses:* Reporting: On occasion.

*Total Burden Hours:* 151.

**Ruth Brown,**

*Departmental Information Collection Clearance Officer.*

[FR Doc. 2012-23000 Filed 9-18-12; 8:45 am]

**BILLING CODE 3410-34-P**

## DEPARTMENT OF AGRICULTURE

### Submission for OMB Review; Comment Request

September 13, 2012.

The Department of Agriculture has submitted the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104-13. Comments regarding (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; (c)

ways to enhance the quality, utility and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology should be addressed to: Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB),

*OIRA\_Submission@OMB.EOP.GOV* or fax (202) 395-5806 and to Departmental Clearance Office, USDA, OCIO, Mail Stop 7602, Washington, DC 20250-7602. Comments regarding these information collections are best assured of having their full effect if received within 30 days of this notification. Copies of the submission(s) may be obtained by calling (202) 720-8958.

An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

### Food and Nutrition Service

*Title:* Community Eligibility Option Evaluation.

*OMB Control Number:* 0584-NEW.

*Summary of Collection:* Section 104(a) of the Healthy, Hunger Free Kids Act of 2010 provides the Community Eligibility Option (the CE Option) for Local Educational Authorities (LEAs) and schools, as an alternative to household applications for Free or Reduced Price meals. Under the CE Option, families are not required to submit application for free or reduced-price meals, and schools are required to provide free meals to all students. The potential benefits are that more students participate, meals are more nutritious, and LEAs may experience reductions in administrative burden and errors. In order to understand how the CE Option is implemented, incentives and barriers for LEAs and schools, as well as the impacts on LEAs, schools and children, Congress has mandated that the Food and Nutrition Service (FNS) conduct an evaluation of the CE Option.

*Need and Use of the Information:* FNS will collection information from the study: To estimate the number of eligible LEAs and schools that do not choose the CE Options; To assess the barriers to participation in the CE

Option in non-participating but eligible LEAs and schools; To describe the LEAs and schools participating in the CE Option; To examine the impacts of the CE Option on (1) Program integrity, (2) availability of School Breakfast program, (3) nutritional quality of meals, (4) program participation by students, (5) program administration, (6) foodservice revenues and costs; and To provide input to FNS deliberations about the key parameters for the CE Option: The multiplier for determining the percentage of meals reimbursed at the free rate and the threshold value of the ISP for determining eligibility to implement the option.

*Description of Respondents:* State, Local or Tribal Government; Not-for-profit institutions.

*Number of Respondents:* 3,574.

*Frequency of Responses:* Reporting: Annually.

*Total Burden Hours:* 2,383.

**Ruth Brown,**

*Departmental Information Collection Clearance Officer.*

[FR Doc. 2012-23016 Filed 9-18-12; 8:45 am]

**BILLING CODE 3410-P**

## DEPARTMENT OF AGRICULTURE

### Food Safety and Inspection Service

[Docket No. FSIS-2012-0024]

### Availability of FSIS Salmonella Compliance Guidelines for Small and Very Small Meat and Poultry Establishments That Produce Ready-to-Eat Products

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

**ACTION:** Notice of availability.

**SUMMARY:** The Food Safety and Inspection Service (FSIS) is announcing the availability of a revised compliance guide for small and very small meat and poultry establishments on the safe production of ready-to-eat (RTE) meat and poultry products with respect to *Salmonella* and other pathogens. FSIS has posted this compliance guide on its Significant Guidance Documents Web page ([http://www.fsis.usda.gov/Significant\\_Guidance/index.asp](http://www.fsis.usda.gov/Significant_Guidance/index.asp)). FSIS encourages small and very small meat and poultry establishments that manufacture these products to avail themselves of this guidance document.

**DATES:** *Effective date:* September 19, 2012.

**ADDRESSES:** A downloadable version of the revised compliance guide is available to view and print at <http://www.fsis.usda.gov/>

*Significant\_Guidance/index.asp*). No hard copies of the compliance guide have been published.

**FOR FURTHER INFORMATION CONTACT:** Kristina Barlow, U.S. Department of Agriculture, Food Safety and Inspection Service, 1400 Independence Avenue SW., Mailstop 3782, Washington, DC 20250; email: [kristina.barlow@fsis.usda.gov](mailto:kristina.barlow@fsis.usda.gov); or phone: (202) 690-7739.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

In April, 2011, FSIS announced the availability of a compliance guideline for small and very small meat and poultry establishments on the safe production of RTE products (76 FR 22667). FSIS also solicited comments on the guidance at that time. In response to comments received, FSIS has updated the guidance document to provide more options for achieving lethality in RTE meat and poultry products and to clarify issues. FSIS has also added an appendix to the document.

The “FSIS *Salmonella* Compliance Guidelines for Small and Very Small Meat and Poultry Establishments that Produce Ready-to-Eat Products” provides meat and poultry establishments that manufacture RTE meat and poultry products with information on regulatory requirements associated with the safe production of these products particularly with respect to *Salmonella* and other pathogens. This document also provides information about the processing and safe handling of RTE products after the lethality step, so that they are not contaminated with pathogens such as *Salmonella* or *Listeria monocytogenes* (*Lm*). Though Agency guidance documents are recommendations rather than regulatory requirements and are revised as new information becomes available, FSIS encourages meat and poultry establishments to follow this guidance.

**II. Comments and Responses**

FSIS received two comment letters in response to the *Salmonella* Compliance Guidelines for Small and Very Small Meat and Poultry Establishments that Produce RTE Products (RTE *Salmonella* guidelines). Both letters were from national trade associations representing the interests of primarily small and very small meat packers and processors.

Following is a discussion of these comments and FSIS’s responses.

**A. Agency Focus on Small and Very Small Establishments**

*Comment:* Both commenters questioned why the RTE *Salmonella*

guidelines focused on small and very small establishments.

According to one commenter, small and very small meat processors in the U.S. represent 5 percent of the total meat production volume, but 95 percent of the total meat processing businesses in the U.S. This commenter suggested that the guidelines not be limited to small and very small establishments but rather should be addressed to the whole industry.

*Response:* FSIS focused the RTE *Salmonella* Guidelines on small and very small establishments in support of the Small Business Administration’s initiative to provide small and very small establishments with compliance assistance. It is important that small and very small establishments have access to a full range of scientific and technical support, and the assistance needed to establish safe and effective HACCP systems. Although large establishments can benefit from the guidance that FSIS provides, focusing the guidance on the needs of small and very small establishments provides them with information that may be otherwise unavailable to them.

**B. Request for Clarification on Alternative Processing Options**

*Comment:* One commenter stated that, in reality, most meat processors lack the technology to address or monitor specific aspects of Appendix A (64 FR 732; Jan. 6, 1999, at 746) and believes that the guidance document fails to adequately present alternative processing options.

This commenter requested clarification about FSIS’s expectations related to the application of the parameters outlined in Appendix A (specifically, relative humidity and dwell time) to all RTE products—not just cooked, roasted, and corned beef products.

In addition, both commenters strongly encouraged FSIS to fund research that would update existing Agency resources to reflect modern processing practices.

*Response:* Although this comment is outside the scope of this guidance document, FSIS plans to revise Appendices A and B (64 FR 732; Jan. 6, 1999, at 748) as part of its efforts to revise guidance materials for RTE products. The Agency plans to provide clarification of its expectations with respect to dwell time and humidity as part of this revision. FSIS has also recently issued “FSIS Compliance Guideline for Meat and Poultry Jerky Products by Small and Very Small Establishments,” which provides more flexible options for achieving humidity in RTE products.

**C. Demonstrating Adequate Support**

*Comment:* One commenter stated that although many of the items in the RTE *Salmonella* Compliance Guidelines are especially useful to industry, a 5-log<sub>10</sub> reduction of *Salmonella* in finished product will be hard to demonstrate for a plethora of products, including low-temperature fermented products and non-fermented products. The commenter said that if small and very small establishments are able to demonstrate adequate support for using a science-based approach, the Agency should view the product as scientifically safe and wholesome, regardless of whether the 5-log<sub>10</sub> reduction is achieved. The commenter encouraged FSIS, in consultation with ARS, to develop more resources, along the lines of safe harbors, for small and very small establishments to use as support for the processing of non-heat treated RTE products.

*Response:* FSIS recognizes that a 5-log<sub>10</sub> reduction of *Salmonella* in finished product may be hard to demonstrate for some products. To address this difficulty, the guidance provides establishments with alternative lethality approaches within the guidelines, including utilizing good manufacturing practices and incoming product testing to support the safety of lower levels of lethality. In addition, FSIS intends to develop further guidance that establishments can use to achieve lethality in specific RTE meat and poultry products.

**USDA Nondiscrimination Statement**

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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: September 13, 2012.

**Alfred V. Almanza,**  
Administrator.

[FR Doc. 2012-23080 Filed 9-18-12; 8:45 am]

**BILLING CODE 3410-DM-P**

## DEPARTMENT OF AGRICULTURE

### Food Safety and Inspection Service

[Docket No. FSIS-2012-0020]

#### Risk-Based Sampling of Beef Manufacturing Trimmings for *Escherichia coli* (*E. coli*) O157:H7 and Plans for Beef Baseline

**AGENCY:** Food Safety and Inspection Service (FSIS), U.S. Department of Agriculture (USDA).

**ACTION:** Notice; Request for comments.

**SUMMARY:** FSIS is announcing its intention to redesign its *E. coli* O157:H7 verification testing program for beef manufacturing trimmings to make the program more risk-based and to enable the Agency to calculate on-going statistical prevalence estimates for *E. coli* O157:H7 in raw beef manufacturing trimmings. This notice also discusses FSIS's plans to perform a beef carcass baseline. FSIS seeks public comment on its plans, which have been developed in response to a 2011 audit by the U.S. Department of Agriculture's Office of Inspector General (OIG) of FSIS's

protocol for N-60 sampling of beef manufacturing trimmings for *E. coli* O157:H7. This notice also announces changes that FSIS has made to its beef manufacturing trimmings program to increase both the collection rate and the likelihood that FSIS will find positive samples. Finally, this notice summarizes a 2012 OIG report and the actions that FSIS has taken to address the recommendations in that report.

**DATES:** Comments on this notice must be submitted on or before November 19, 2012.

**ADDRESSES:** FSIS invites interested persons to submit comments on this notice. 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 the Web page or attach a file for lengthier comments. Go to <http://www.regulations.gov>. Follow the online 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 Clearance Unit, Patriots Plaza III, 1400 Independence Avenue SW., 8-163A, Mailstop 3287, Washington, DC 2024-3221.

**Instructions:** All items submitted by mail or electronic mail must include the Agency name and docket number FSIS-2012-0020. 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:** Rachel Edelstein, Acting Assistant Administrator for the Office of Policy and Program Development, FSIS, USDA, Room 351-E, Jamie Whitten Building, 14th and Independence Avenue SW., Washington, DC 20250-3700; telephone (202) 720-0399, fax (202) 720-2025; [rachel.edelstein@fsis.usda.gov](mailto:rachel.edelstein@fsis.usda.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

In 1994, FSIS determined that *E. coli* O157:H7 adulterates raw ground beef product within the meaning of the Federal Meat Inspection Act (FMIA) (21 U.S.C. 601(m)(1)). FSIS began testing ground beef for *E. coli* O157:H7 in 1994. In 1999, FSIS determined that, besides

ground beef, *E. coli* O157:H7 adulterated all non-intact raw beef product and intact raw beef product intended for use in raw, non-intact beef product (64 FR 2803; Jan. 19, 1999).

Starting in 2007, FSIS began testing beef manufacturing trimmings and other raw ground beef components (raw esophagus (weasand) meat, head meat, cheek meat, beef from advanced meat recovery systems, low temperature rendered lean finely textured beef, partially defatted chopped beef, partially defatted beef fatty tissue, and heart meat) for *E. coli* O157:H7 at the originating slaughter establishment. FSIS also began verifying that grinders, fabricators, and supplying slaughter establishments had effective controls for *E. coli* O157:H7.

FSIS sampled beef manufacturing trimmings under a simple random sampling plan in which each slaughter establishment had an equal chance of being scheduled for sampling, regardless of production volume or previous history. FSIS collects approximately 1,300 samples per year. From calendar year 2007 through June 2011, FSIS found an average of about seven *E. coli* positives per year, resulting in an average *E. coli*-positive rate of about 0.60% in beef manufacturing trimmings during this period. Each slaughter establishment producing beef manufacturing trimmings was sampled about 3.5 times per year.

Inspection personnel collect beef trimmings samples for testing using N-60 procedures. Under these procedures, inspection personnel collect 60 slices of beef manufacturing trimmings cut to a specific size and also collect an additional, separate "grab sample" of smaller pieces of trim from the same production lot. FSIS laboratories use the 60 slices for the first part of the analysis for *E. coli* O157:H7. If the 60 slices are confirmed positive, laboratory personnel do quantitative (most probable number or MPN) analysis on the "grab" sample.<sup>1</sup>

When an FSIS beef manufacturing trimming sample tests positive, FSIS takes a number of steps including: Collecting follow-up samples at the establishment where the positive sample was found; documenting production of adulterated product in a noncompliance record when appropriate; conducting a food safety assessment (FSA) (a comprehensive review of the establishment's food safety

<sup>1</sup> FSIS's *E. coli* O157:H7 test results are reported on the Agency's Web site at: [http://www.fsis.usda.gov/Science/Ecoli\\_Raw\\_Beef\\_Testing\\_Data\\_YTD/index.asp](http://www.fsis.usda.gov/Science/Ecoli_Raw_Beef_Testing_Data_YTD/index.asp) (accessed June 20, 2012).