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Done at Washington, DC, on April 18, 2013.

**Mary Frances Lowe,**

*U.S. Manager for Codex Alimentarius.*

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BILLING CODE 3410-DM-P

## DEPARTMENT OF AGRICULTURE

### Food Safety and Inspection Service

[Docket No. FSIS-2013-0005]

#### Interagency Risk Assessment—*Listeria monocytogenes* in Retail Delicatessens: Notice of a Public Meeting

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

**ACTION:** Notice of public meeting.

**SUMMARY:** The Food Safety and Inspection Service (FSIS) and the Food and Drug Administration/Center for Food Safety and Applied Nutrition (FDA/CFSAN) are holding a public meeting on May 22, 2013, to present the background, approach, scope, and findings of the draft “Interagency Risk Assessment—*L. monocytogenes* in Retail Delicatessens.” The purpose of this draft quantitative risk assessment (QRA) is to evaluate the public health impact of changes in retail delicatessen (deli) practices and potential interventions to reduce or prevent *L. monocytogenes* contamination in ready-to-eat (RTE) foods that are sliced, prepared, or packaged in retail facilities. FSIS and FDA invite interested individuals, organizations, and other stakeholders to participate in the meeting and to provide comments on the draft QRA.

**DATES:** The public meeting will be held on May 22, 2013 from 8:45 a.m. to 4:15 p.m. EDT. Submit either electronic or written comments to FSIS June 24, 2013.

A copy of the agenda will be made available for viewing prior to the meeting on FSIS’s Web site at [www.fsis.usda.gov/News/Meetings\\_&\\_Events/](http://www.fsis.usda.gov/News/Meetings_&_Events/).

**ADDRESSES:** The meeting will be held in Washington, DC, on May 22, 2013, in the USDA Jefferson Auditorium (South Building), 1400 Independence Avenue SW., Washington, DC 20250. Attendees must provide a photo ID to enter the building. The Jefferson Auditorium is located between Wings 5 and 6 in the South Building. Attendees should enter

the building via Wing 5 or 7 on 14th Street and Independence Avenue SW. After 9:30 a.m., attendees should enter the building via the Wing 1 entrance.

**Registration:** Registration will begin at 8:15 a.m. Pre-registration for this meeting is encouraged. To pre-register, access the FSIS Web site, [http://www.fsis.usda.gov/News/Meetings\\_&\\_Events/](http://www.fsis.usda.gov/News/Meetings_&_Events/).

Contact Joan Lindenberger for more information on logistics at (202) 720-0284. Persons requiring a sign language interpreter or other special accommodations should notify Ms. Lindenberger by May 13, 2013.

Comments may be submitted by one 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 CD-ROMs, etc.:** Send to Docket Clerk, U.S. Department of Agriculture, Food Safety and Inspection Service, Patriots Plaza 3, 1400 Independence Avenue SW., Mailstop 3782, Room 8-163A, Washington, DC 20250-3700.

- **Hand- or courier-delivered submittals:** Deliver to Patriots Plaza 3, 355 E Street SW., Room 8-163A, Washington, DC 20250-3700.

**Instructions:** All items submitted by mail or electronic mail must include the Agency name and docket number FSIS-2013-0005. 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 Patriots Plaza 3, 355 E Street SW., Room 8-164, Washington, DC 20250-3700 between 8:00 a.m. and 4:30 p.m., Monday through Friday.

**FOR FURTHER INFORMATION CONTACT:** Janell Kause, Scientific Advisor for Risk Assessment, Office of Public Health Science, Food Safety and Inspection Service, USDA, 355 E Street SW., Washington, DC 20024; Telephone: (202) 690-0286, FAX: (202) 690-6337, Email: [Janell.Kause@fsis.usda.gov](mailto:Janell.Kause@fsis.usda.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

FSIS and FDA will issue a draft quantitative risk assessment (QRA), “Interagency Risk Assessment—*Listeria monocytogenes* in Retail Delicatessens”

for public comment prior to the public meeting. This draft QRA provides a scientific assessment of the risk of foodborne illness associated with consumption of RTE foods (i.e., deli meats, cheese, and deli salads) commonly prepared and sold in the deli of a retail food store and examines how that risk may be impacted by changes to common or recommended practices. FSIS and FDA have involved stakeholders and the public in the development of this QRA to ensure its utility.

A request for comments, scientific data, and information for this QRA was published in the **Federal Register** on January 21, 2009 (Ref. 1). In addition, FSIS and FDA held a public meeting on June 23, 2009, to present the background, approach, scope, and data needs for this QRA (Ref. 2) (transcripts are available for viewing by the public in the FSIS docket room and on the FSIS Web site at [http://www.fsis.usda.gov/PDF/Listeria-Transcript\\_062309.pdf](http://www.fsis.usda.gov/PDF/Listeria-Transcript_062309.pdf)).

##### II. Purpose of the Meeting and Agenda

The purpose of the meeting on May 22, 2013, is to present the background, approach, and findings of the draft “Interagency Risk Assessment—*Listeria monocytogenes* in Retail Delicatessens,” and gather public input.

A copy of the agenda will be made available for viewing prior to the meeting on FSIS’s Web site at [http://www.fsis.usda.gov/News/Meetings\\_&\\_Events/](http://www.fsis.usda.gov/News/Meetings_&_Events/).

The meeting agenda will include presentations on background information relevant to *L. monocytogenes* at retail and data commissioned to fill specific risk assessment data needs, the overall risk assessment modeling approach, and findings. Time will be provided for questions and comments from the participants.

##### III. Transcripts

Please be advised that as soon as a transcript is available, it will be accessible at <http://www.regulations.gov>. The transcript may be viewed at FSIS Docket Room, Docket Clerk, U.S. Department of Agriculture, Patriots Plaza 3, 355 E Street SW., Room 8-164, Washington, DC 20250-3700 between 8:00 a.m. and 4:30 p.m., Monday through Friday and will also be posted on the Agency Web site (<http://www.fsis.usda.gov>).

##### IV. References

The following references are on display in the FSIS Docket Room at the address above between 8:00 a.m. and

4:30 p.m., Monday through Friday (FSIS have verified the following Web site addresses, but FSIS is not responsible for any subsequent changes to the Web sites after this document publishes in the **Federal Register**.)

1. Risk Assessment of the Public Health Impact from Foodborne *Listeria monocytogenes* in Some Ready-to-Eat Foods Sliced, Prepared, and/or Packaged in Retail Facilities; Request for Comments and for Scientific Data and Information. (74 FR 3617 (January 21, 2009)), Docket No. FDA-2008-N-0658, <http://www.fda.gov/OHRMS/DOCKETS/98fr/E9-938.pdf>.
2. Interagency Retail Listeria monocytogenes Risk Assessment: Notice of a Public Meeting. (74 FR 27276; June 9, 2009). Docket No. FSIS-2009-0012, <http://www.gpo.gov/fdsys/pkg/FR-2009-06-09/html/E9-13378.htm>.

### 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.

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Done at Washington, DC, on April 18, 2013.

**Alfred V. Almanza**,  
Administrator.

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**BILLING CODE 3410-DM-P**

## DEPARTMENT OF AGRICULTURE

### Food Safety and Inspection Service

[Docket No. FSIS-2013-0013]

#### Retail Exemptions Adjusted Dollar Limitations

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

**ACTION:** Notice.

**SUMMARY:** The Food Safety and Inspection Service (FSIS) is announcing the dollar limitations on the amount of meat and meat food products, poultry, and poultry products that a retail store can sell to hotels, restaurants, and similar institutions without disqualifying itself for exemption from Federal inspection requirements. In accordance with FSIS's regulations, for calendar year 2013, the dollar limitation for meat and meat food products is being increased from \$67,300 to \$69,600 and for poultry products from \$51,700 to \$54,500. FSIS is changing the dollar limitations from calendar year 2012 based on price changes for these products evidenced by the Consumer Price Index.

**DATES:** *Effective Date:* This notice is effective April 23, 2013.

**FOR FURTHER INFORMATION CONTACT:** John O'Connell, Policy Issuances Division, Office of Policy and Program Development, FSIS, U.S. Department of Agriculture, Room 6083 South Building, 1400 Independence Avenue SW., Washington, DC 20250-3700; Telephone: (202) 720-0345.

#### SUPPLEMENTARY INFORMATION:

##### Background

The Federal Meat Inspection Act (21 U.S.C. 601 *et seq.*) and the Poultry Products Inspection Act (21 U.S.C. 451 *et seq.*) provide a comprehensive statutory framework to ensure that meat,

meat food products, poultry, and poultry products prepared for commerce are wholesome, not adulterated, and properly labeled and packaged. Statutory provisions requiring inspection of the preparation or processing of meat, meat food, poultry, and poultry products do not apply to operations of types traditionally and usually conducted at retail stores and restaurants when those operations are conducted at any retail store or restaurant or similar retail-type establishment for sale in normal retail quantities (21 U.S.C. 661(c)(2) and 454(c)(2)). FSIS's regulations (9 CFR 303.1(d) and 381.10(d)) elaborate on the conditions under which requirements for inspection do not apply to retail operations involving the preparation of meat and meat food, and processing of poultry and poultry products.

#### Sales to Hotels, Restaurants, and Similar Institutions

Under these regulations, sales to hotels, restaurants, and similar institutions (other than household consumers) disqualify a store for exemption if the product sales exceed either of two maximum limits: 25 percent of the dollar value of total product sales or the calendar year dollar limitation set by the Administrator. The dollar limitation is adjusted automatically during the first quarter of the year if the Consumer Price Index (CPI), published by the Bureau of Labor Statistics, shows an increase or decrease of more than \$500 in the price of the same volume of product for the previous year. FSIS publishes a notice of the adjusted dollar limitations in the **Federal Register**. (See 9 CFR 303.1(d)(2)(iii)(b) and 381.10(d)(2)(iii)(b).)

The CPI for 2012 reveals an annual average price increase for meat and meat food products at 3.4 percent and for poultry products at 5.5 percent. When rounded to the nearest \$100, the dollar limitation for meat and meat food products increased by \$2,300 and the dollar limitation for poultry products increased by \$2,800. Because the dollar limitation of meat and meat food products and poultry products increased by more than \$500, FSIS is increasing the dollar limitation on sales to hotels, restaurants, and similar institutions to \$69,600 for meat and meat food products and to \$54,500 for poultry products for calendar year 2013, in accordance with 9 CFR 303.1(d)(2)(iii)(b) and 381.10(d)(2)(iii)(b).