

# 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.

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

[Document Number AMS-FV-14-0016, FV-14-326]

#### United States Standards for Grades of Canned Baked Beans

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Notice and request for comments.

**SUMMARY:** The Agricultural Marketing Service (AMS) of the Department of Agriculture (USDA) proposes to revise the United States Standards for Grades of Canned Baked Beans. AMS is proposing to replace process-specific language "Product description" in the standard with language reflective of current canned baked bean manufacturing practices. Additionally, AMS proposes separating the canned dried beans, canned pork and beans, and canned baked beans grade standards from one shared standard document into three separate standard documents. These changes would bring the grade standards for canned baked beans in line with the present quality levels being marketed today and would provide guidance in the effective use of these products.

**DATES:** Comments must be submitted on or before October 19, 2015.

**ADDRESSES:** Written comments may be submitted via the Internet: <http://www.regulations.gov>; by email [brian.griffin@ams.usda.gov](mailto:brian.griffin@ams.usda.gov); or by mail to Brian E. Griffin, Standardization Branch, Specialty Crops Inspection Division, Fruit and Vegetable Program, Agricultural Marketing Service, U.S. Department of Agriculture, 1400 Independence Avenue SW., Room 0709, South Building; STOP 0247, Washington, DC 20250; fax: (202) 690-1527. Copies of the proposed revised United States Standards for Grades of

Canned Baked Beans are available at the addresses cited above and at the AMS Web site at: <http://www.ams.usda.gov/scihome>. All comments should reference the document number, date, and page number of this issue of the **Federal Register**. All comments will be posted without change, including any personal information provided. All comments submitted in response to this notice will be included in the public record and will be made available to the public on the Internet via <http://www.regulations.gov>. Comments will be made available for public inspection at the above address during regular business hours or can be viewed at: <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:**

Contact Brian E. Griffin at the address above, phone (202) 720-5021, or fax (202) 690-1527.

**SUPPLEMENTARY INFORMATION:** AMS is proposing to revise the U.S. Standards for Grades of Canned Baked Beans using the procedures that appear in part 36 of Title 7 of the Code of Federal Regulations (7 CFR part 36). Section 203(c) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1621-1627), as amended, directs and authorizes the Secretary of Agriculture "to develop and improve standards of quality, condition, quantity, grade, and packaging, and recommend and demonstrate such standards in order to encourage uniformity and consistency in commercial practices." AMS is committed to carrying out this authority in a manner that facilitates the marketing of agricultural commodities and makes copies of official standards available upon request. The U.S. standards for grades of fruits and vegetables that are not connected with Federal marketing orders or U.S. import requirements no longer appear in the Code of Federal Regulations, but are maintained by USDA, AMS, Fruit and Vegetable Program, and are available on the Internet at: <http://www.ams.usda.gov/scihome>.

**Background:** In September 2013, AMS received a petition from a professor emeritus in food science from Michigan State University asking AMS to consider revising the current U.S. grade standards for canned baked beans to account for advances in industry processing technology. The petitioner requested the removal of the following text from the text of the Product

description: "The product is prepared by washing, soaking, and baking by the application of dry heat in open or loosely covered containers in a closed oven at atmospheric pressure for sufficient prolonged time to produce a typical texture and flavor" and replacing it with the following text, "The product is prepared by heating beans and sauce in a closed or open container for a period of time sufficient to provide texture, flavor, color and consistency attributes that are typical for this product."

AMS believes the text "washing, soaking" needs to be retained and proposes the following revision to the text of the Product description: "The product is prepared by washing, soaking, and heating beans and sauce in a closed or open container for a period of time sufficient to provide texture, flavor, color, and consistency attributes that are typical for this product."

A copy of the petitioner's request and supporting documentation is located on the Internet at <http://www.regulations.gov> along with the current U.S. Standards for Grades of Canned Baked Beans together with the revisions proposed in this notice. The proposed revisions to these grade standards would provide a common language for trade and better reflect the current marketing of canned baked beans.

Additional proposed changes to the U.S. Standards for Grades of Canned Baked Beans include separating the canned dried beans grade standards, canned pork and beans grade standards, and the canned baked beans grade standards into individual standard documents. These grade standards are currently recognized as three individual standards, but are contained in one document. No changes to content are recommended at this time for the canned dried beans or canned pork and beans grade standards.

In December 2013, AMS developed a discussion draft of the revised canned baked bean grade standards that included the proposed changes. This draft was distributed to the U.S. Dry Bean Council (USDBC), a trade association representing U.S. growers, shippers, processors, packagers, and canners of dry beans; and to the Grocery Manufacturers Association (GMA), a trade association of the food industry. Members of the USDBC and GMA

reviewed the discussion draft. Responding members supported the proposed changes to the Product description, and the proposed change to separate the canned dried beans, canned pork and beans, and the canned baked beans grade standards into the documents.

Additionally, AMS submitted the discussion draft to the U.S. Food and Drug Administration (FDA) for guidance on the proposed changes. The FDA expressed concern over the removal of the term “baking” from the process while continuing to use the term “baked” as part of the name of the food. The FDA did not object to a name that appropriately describes the food as per the regulations in 21 CFR 101.3.

AMS discussed further FDA’s concerns with the petitioner. A second discussion draft was developed and submitted to the FDA and received a positive response. The second discussion draft was then submitted to the aforementioned industry groups for a second round of comments. Both groups responded positively to the changes.

The proposed revised text for Section 52.6461 Product description reads as follows: “The product is prepared by washing, soaking, and baking beans and sauce through the application of heat in a closed or open container for a period of time sufficient to provide texture, flavor, color, and consistency attributes that are typical for this product.”

#### Agricultural Marketing Service

AMS is soliciting comments on the proposed revision of the U.S. Standards for Grades of Canned Baked Beans. In particular, AMS would welcome comments and information regarding the possible impact on processors and growers. Further details are provided in the petition and are available from Brian E. Griffin at the previously mentioned address in the **FOR FURTHER INFORMATION CONTACT** section or can be found on the Internet at <http://www.regulations.gov>. This notice provides for a 60-day comment period for interested parties to comment on the proposed revision of the U.S. Standards for Grades of Canned Baked Beans.

**Authority:** 7 U.S.C. 1621–1627.

Dated: August 13, 2015.

#### Rex A. Barnes,

Associate Administrator, Agricultural Marketing Service.

[FR Doc. 2015–20445 Filed 8–18–15; 8:45 am]

**BILLING CODE P**

## DEPARTMENT OF AGRICULTURE

### Food Safety and Inspection Service

[Docket No. FSIS–2015–0033]

#### Availability of Updated FSIS Food Standards and Labeling Policy Book

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

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

**SUMMARY:** The Food Safety and Inspection Service (FSIS) is announcing the Agency’s intent to revise the Food Standards and Labeling Policy Book. The Agency has stopped adding policy guidance to it; however, FSIS will continue to amend or remove items in the book, as necessary, to remain consistent with Agency policies and regulations. The revised Food Standards and Labeling Policy Book will provide updated information for establishments to use when creating new labels and when modifying existing labels for meat and poultry products.

**DATES:** Submit comments on or before October 19, 2015.

**ADDRESSES:** A downloadable version of the Food Standards and Labeling Policy Book is available for viewing and printing at <http://www.fsis.usda.gov/wps/portal/food/topics/regulatory-compliance/labeling/Labeling-Policies>. No hard copies have been published.

FSIS invites interested persons to submit comments on this notice. 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: Send to Docket Clerk, U.S. Department of Agriculture, Food Safety and Inspection Service, Patriots Plaza 3, 1400 Independence Avenue SW., Mailstop 3782, Room 8–163B, 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–2015–0033. 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 to comments received, go to the FSIS Docket Room at Patriots Plaza 3, 355 E Street SW., Room 164–A, Washington, DC 20250–3700 between 8:00 a.m. and 4:30 p.m., Monday through Friday.

**FOR FURTHER INFORMATION CONTACT:** Daniel L. Engeljohn, Ph.D., Assistant Administrator, Office of Policy and Program Development; Telephone: (202) 205–0495, or by Fax: (202) 720–2025.

#### SUPPLEMENTARY INFORMATION:

##### Background

FSIS is responsible for ensuring that the Nation’s commercial supply of meat and poultry is safe, wholesome, and properly labeled and packaged.

On November 7, 2013, FSIS published the final rule “Prior Label Approval Systems: Generic Label Approval.” This final rule amended the meat and poultry products inspection regulations to expand the circumstances under which labels of meat and poultry products would be deemed to be generically approved by the Agency (78 FR 66826).

Effective January 6, 2014, FSIS regulations (9 CFR 412.1(c)) require only four categories of labels to be submitted to the Labeling and Program Delivery Staff (LPDS) for approval. One category requiring the submission of labels is special statements and claims (9 CFR 412.1(c)(3)), as described in 9 CFR 412.1(e). Under this paragraph, special statements and claims that are defined in FSIS’s regulations or in its Food Standards and Labeling Policy Book, except for “natural” and negative claims, and that comply with those regulations and policies, are deemed to be approved by the Agency without being submitted for evaluation and approval.

Comments that FSIS had received in response to the December 5, 2011, proposal (76 FR 75809) that preceded the final rule asked the Agency to update its Food Standards and Labeling Policy Book. In response to these comments, FSIS decided to stop adding new policy guidance to the book but to continue to amend or remove items in the book, as necessary.

FSIS has revised the “Chicken Cordon Bleu” entry in response to a petition submitted to the Agency and removed the entry for “Ham, Smithfield” to ensure consistency with the regulations on the use of geographic terminology on labeling (9 CFR 317.8(b)(1)). FSIS announced these changes in its *Constituent Update*.<sup>1</sup> This calendar year

<sup>1</sup> See <http://www.fsis.usda.gov/wps/portal/food/newsroom/meetings/newsletters/constituent->