

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

Food Safety and Inspection Service

[Docket No. FSIS-2022-0007]

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 products and 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.

DATES: *Applicable* April 13, 2022.

FOR FURTHER INFORMATION CONTACT: Gina Kouba, Office of Policy and Program Development, Food Safety and Inspection Service, USDA, 1400 Independence Avenue SW, Mailstop 3758, South Building, Washington, DC 20250-3700; (202) 720-5627.

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 and meat products and poultry and poultry products prepared for commerce are wholesome, not adulterated, and properly labeled and packaged. Statutory provisions requiring inspection of the processing of meat and meat products and poultry and poultry products do not apply to operations of types traditionally and usually conducted at retail stores and restaurants in regard to products offered for sale to consumers in normal retail quantities (21 U.S.C. 661(c)(2) and 454(c)(2)). FSIS' 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 products and the processing of poultry and poultry products.

Sales to Hotels, Restaurants, and Similar Institutions

Under the aforementioned regulations, sales to hotels, restaurants, and similar institutions (other than household consumers) disqualify a retail store from exemption if the retail product sales of amenable products exceed either of two maximum limits: 25 percent of the dollar value of the total retail product sales or the calendar year retail dollar limitation set by the FSIS Administrator. The retail 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 retail 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 2021 reveals an annual average price increase for meat and meat products of 7.66 percent, an average annual price increase for Siluriformes fish and fish products of 5.39 percent, and an annual average price increase for poultry and poultry products of 5.11 percent. When rounded to the nearest \$100 dollar, the retail dollar limitation for meat and meat products, including Siluriformes fish and fish products, increased by \$6,400¹ and the retail dollar limitation for poultry and poultry products increased by \$3,100.² In

¹ The base value for meat and meat products in 2021 was \$84,942 rounded to the nearest \$100 dollar to \$84,900. The base value included \$82,360 for meat and meat products and \$2,582 to account for Siluriformes fish and fish products. The meat and meat products prices increased by 7.66 percent, or \$6,309 ($\$82,360 \times 0.0766 = \$6,309$), during 2021. The Siluriformes fish and fish products prices increased by 5.39 percent, or \$139 ($\$2,582 \times 0.0539 = \139), during 2021. Combined, the value for meat and meat products that includes Siluriformes fish and fish products increased by \$6,448 ($\$6,309 + \139). Since this change is more than \$500, the retail dollar limitation is adjusted to \$91,400 [$(\$82,360 + \$6,309) + (\$2,582 + \$139) = \$91,390$ which is rounded to \$91,400].

² The base value for poultry and poultry products in 2021 was \$59,770 rounded to the nearest \$100 dollar to \$59,800. The poultry and poultry products

accordance with 9 CFR 303.1(d)(2)(iii)(b) and 381.10(d)(2)(iii)(b), because the retail dollar limitations for meat and meat products increased by more than \$500, FSIS is increasing the dollar limitation on sales to hotels, restaurants, and similar institutions to \$91,400 for meat and meat products for calendar year 2022. Because the retail dollar limitations for poultry and poultry products increased by more than \$500, FSIS is increasing the dollar limitation on sales to hotels, restaurants, and similar institutions to \$62,800 for poultry and poultry products for calendar year 2022.

Additional Public Notification

Public awareness of all segments of rulemaking and policy development is important. Consequently, FSIS will announce this **Federal Register** publication on-line through the FSIS web page located at: <https://www.fsis.usda.gov/federal-register>.

FSIS will also announce and provide a link to this **Federal Register** publication 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 our constituents and stakeholders. The *Constituent Update* is available on the FSIS web page. Through the web page, FSIS can provide information to a much broader, more diverse audience. In addition, FSIS offers an email subscription service which provides automatic and customized access to selected food safety news and information. This service is available at: <https://www.fsis.usda.gov/subscribe>. Options range from recalls, to export information, regulations, directives, and notices. Customers can add or delete subscriptions themselves and have the option to password protect their accounts.

USDA Non-Discrimination Statement

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its

prices increased by 5.11 percent, or \$3,054 ($\$59,770 \times 0.0511 = \$3,054$), during 2021. Since this change is more than \$500, the retail dollar limitation is adjusted to \$62,800 ($\$59,770 + \$3,054 = \$62,824$ rounded to \$62,800.)

Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at <https://www.usda.gov/oascr/how-to-file-a-program-discrimination-complaint> and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992.

Submit your completed form or letter to USDA by: (1) *Mail*: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue SW, Washington, DC 20250-9410; (2) *fax*: (202) 690-7442; or (3) *email*: program.intake@usda.gov.

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Paul Kiecker,
Administrator.

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DEPARTMENT OF AGRICULTURE

Rural Housing Service

[Docket No. RHS-21-CF-0020]

Community Facilities Technical Assistance and Training Grant Program for Fiscal Year 2022

AGENCY: Rural Housing Service, USDA.

ACTION: Notice of Solicitation of Applications (NOSA).

SUMMARY: The Rural Housing Service (Agency), a Rural Development agency

of the United States Department of Agriculture (USDA), announces that it is accepting applications under the Community Facilities Technical Assistance and Training (TAT) Grant program for fiscal year (FY) 2022. This NOSA is being issued prior to passage of a final appropriations act for FY 2022 to allow potential applicants time to submit applications for financial assistance under the program and to give the Agency time to process applications. Once the FY 2022 funding amount is determined, the Agency will publish it on its website at <https://www.rd.usda.gov/newsroom/notices-solicitation-applications-nosas>.

DATES: Completed applications must be submitted using one of the following methods:

- *Paper submissions:* The Agency must receive applications in paper, postmarked, and mailed, shipped, or sent overnight by 4:00 p.m. local time on May 26, 2022. Applicants intending to mail applications must provide sufficient time to permit delivery on or before the closing deadline date and time. Acceptance by the United States Postal Service or private mailer does not constitute delivery. Facsimile (FAX), electronic mail, and postage due applications will not be accepted. The application dates and times are firm. The Agency will not consider any application received after the deadline.

- *Electronic submissions:* Electronic applications must be submitted via <https://www.grants.gov> by 11:59 p.m. Eastern Daylight Savings Time on May 23, 2022.

Prior to official submission of applications, applicants may request application guidance from the Agency, as long as such requests are made prior to May 16, 2022. Technical assistance is not meant to be an analysis or assessment of the quality of the materials submitted, a substitute for agency review of completed applications, nor a determination of eligibility, if such determination requires in-depth analysis.

The Agency will not solicit or consider scoring nor eligibility information that is submitted after the application deadline. The Agency reserves the right to contact applicants to seek clarification information on materials contained in the submitted application.

ADDRESSES: This notice and application materials may be accessed at <https://www.grants.gov>. This Notice may also be viewed at: <https://www.rd.usda.gov/newsroom/notices-solicitation-applications-nosas>.

Applicants can submit an electronic application by following the instructions for the TAT funding announcement on <https://www.grants.gov>. Applications may be submitted by the following methods:

Applications are to be submitted to the USDA Rural Development State Office for the State in which the applicant is located. The address for the headquarters of each USDA Rural Development State Office can be accessed at https://www.rd.usda.gov/files/CF_State_Office_Contacts.pdf. The Applicant should contact the USDA Rural Development State Office to see if applications may be submitted to Field Offices within the state.

For applicants located in the District of Columbia, applications will be submitted to the National Office in care of Shirley Stevenson, 1400 Independence Ave. SW, STOP 0787, Washington, DC 20250.

Electronic applications will be submitted via <https://www.grants.gov>.

FOR FURTHER INFORMATION CONTACT: The Rural Development office for the state in which the applicant is located. A list of Rural Development State Office contacts is provided at the following link: https://www.rd.usda.gov/files/CF_State_Office_Contacts.pdf. Applicants located in Washington, DC can contact Shirley Stevenson at (202) 205-9685 or via email at Shirley.Stevenson@usda.gov.

SUPPLEMENTARY INFORMATION:

Authority

This solicitation is authorized pursuant to Section 306(a)(26) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(26)), 7 CFR part 3570, subpart F, and 7 CFR 3570.267.

Rural Development: Key Priorities

The Agency encourages applicants to consider projects that will advance the following key priorities:

- Assisting Rural communities recover economically from the impacts of the COVID-19 pandemic, particularly disadvantaged communities;
- Ensuring all rural residents have equitable access to RD programs and benefits from RD funded projects; and
- Reducing climate pollution and increasing resilience to the impacts of climate change through economic support to rural communities.

Additional information regarding RD's funding priorities is available at the following website: <https://www.rd.usda.gov/priority-points>. Expenses incurred in developing grant application packages will be at the applicant's sole risk.