

1. Should FSIS continue to approve label claims based on animal raising standards developed by private certifying entities and by companies themselves if FSIS has reviewed the standards and determines that they would not render a claim false or misleading?

2. Should FSIS establish any performance criteria or standards for private certifying entities? Should the Agency require that private certifying entities be reviewed and approved by AMS?

3. Should FSIS establish minimum standards that companies would have to achieve to qualify to use certain animal raising claims?

4. For those animal raising claims for which AMS has adopted standards, should FSIS adopt the AMS standards as the minimum standards?

5. Would the approach outlined in this document create any inequities or create any problems for companies interested in using animal raising claims on the labels of their meat or poultry products?

6. What other approaches should FSIS consider for evaluating and approving animal raising claims?

Additional Public Notification

Public awareness of all segments of rulemaking and policy development is important. Consequently, in an effort to ensure that the public and, in particular, minorities, women, and persons with disabilities, are aware of this notice, FSIS will announce it on-line through the FSIS Web page located at http://www.fsis.usda.gov/regulations_&_policies/2008_Notices_Index/index.asp.

FSIS also will 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 our constituents and stakeholders. The Update is communicated via Listserv, a free e-mail subscription service consisting of industry, trade, and farm groups, consumer interest groups, allied health professionals, scientific professionals, and other individuals who have requested to be included. The Update also is available on the FSIS Web page. Through Listserv and the Web page, FSIS is able to provide information to a much broader, more diverse audience.

In addition, FSIS offers an e-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_and_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 account.

Done at Washington, DC, on: October 7, 2008.

Alfred V. Almanza,
Administrator.

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DEPARTMENT OF AGRICULTURE

Food Safety Inspection Service

[Docket No. FSIS 2008-0035]

Sampling and Testing Procedures for *Escherichia coli* O157:H7 in Beef Manufacturing Trimmings

AGENCY: Food Safety and Inspection Service (FSIS), USDA.

ACTION: Notice of public meeting.

SUMMARY: The Food Safety and Inspection Service (FSIS) is announcing that it will hold a public meeting on October 14 and 15, 2008, to discuss sampling and testing procedures used by FSIS and industry for *Escherichia coli* (*E. coli*) O157:H7 in beef manufacturing trimmings and draft guidance to industry concerning this pathogen. Copies of the guidance materials are available on the FSIS Web site.

DATES: The public meeting will be held on October 14 and 15, 2008.

ADDRESSES: The public meeting will be held from 1 p.m. to 4:30 p.m. on October 14 and from 8:30 a.m. to 4 p.m. on October 15 at: L'Enfant Plaza Hotel, 480 L'Enfant Plaza, SW., Washington, DC 20024, (202) 484-1000. FSIS invites interested persons to submit comments on the issues addressed at the public meeting. FSIS will finalize an agenda on or before the meeting date and will post it on the FSIS Web page http://www.fsis.usda.gov/News?Meetings_&_Events/. The official transcript of the meeting will be available for viewing by the public in the FSIS Docket Room and on the FSIS Web site http://www.fsis.usda.gov/News?Meetings_&_Events/ when it becomes available.

Comments may be submitted by either of the following methods:

Federal eRulemaking Portal: 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, Food Safety and Inspection Service, FSIS Docket Room, 1400 Independence Avenue, SW., Room 2534, Washington, DC 20250.

All submissions received must include the Agency name and docket number FSIS-2008-0035. Documents referred to in this notice, and all comments submitted in response to this notice will be available for public inspection in the FSIS Docket Room at the address listed above between 8:30 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays. Comments also will be posted on the Agency's Web site at http://www.fsis.usda.gov/regulations_&_policies/2008_Notices_Index/index.asp.

Individuals who do not wish FSIS to post their personal contact information—mailing address, e-mail address, telephone number—on the Internet may leave this information off of their comments.

FOR FURTHER INFORMATION CONTACT: Pre-registration for this meeting is recommended. To pre-register, go to the FSIS Web site at http://www.fsis.usda.gov/News_&_Events/Reg_Ecoli_101408/index.asp.

For additional information, please contact Keith Payne by telephone at (202) 690-6522 or by e-mail at keith.payne@fsis.usda.gov. Persons requiring a sign language interpreter or special accommodations should contact Keith Payne as soon as possible.

SUPPLEMENTARY INFORMATION:

Background

The presence of *E. coli* O157:H7 in raw beef products continues to be a concern to FSIS. Based on *E. coli* O157:H7 test results from FSIS, other Federal and State entities, and industry, *E. coli* O157:H7 continues to contaminate finished product. Controls in food safety systems, including sanitary dressing procedures, do not consistently prevent, eliminate, or reduce *E. coli* O157:H7 to an undetectable level. Therefore, testing may be a means to ensure that contaminated product does not enter commerce. The meeting will focus on sampling and testing of beef manufacturing trimmings for *E. coli* O157:H7.

Issues To Be Discussed at the Public Meeting

FSIS will discuss the issues associated with the uniformity and

consistency of sampling and testing procedures used by FSIS and industry for *E. coli* O157:H7 in beef manufacturing trimmings and to solicit comment on how to improve uniformity and consistency in such sampling and testing. FSIS will also discuss the laboratory enrichment procedure that it began using in January 2008 (73 FR 53406; September 16, 2008) and its likely impact on sensitivity for identifying more positives in beef.

The discussion will also include the draft "Compliance Guideline for Sampling Beef Trimmings for *Escherichia coli* O157:H7." It can be found on the FSIS Web page at: http://www.fsis.usda.gov/Significant_Guidance/index.asp. FSIS is particularly interested in discussing the importance of distinguishing the occasional or sporadic positive from a series of positive results that indicate a systemic cause or breakdown of the process controls ("high event days"). This determination is important for decisions regarding the microbiological independence of production lots and the disposition of product, as well as the necessary feedback loop between slaughter operations and further processing operations to ensure implementation of effective corrective and preventive actions.

FSIS will also discuss the draft guidance on the use of labels bearing *E. coli* O157:H7 testing claims (such as statements indicating that labeled product has been sampled under an N60 procedure). This guidance is also available on the FSIS Web page at http://www.fsis.usda.gov/Significant_Guidance/index.asp. Such special label claims would be voluntary, and FSIS must approve the labels. The draft guidance provides information to establishments concerning the conditions they must meet to be able to use such claims on their raw beef products. Importantly, the use of such label claims could provide the further processor with greater assurance regarding prior controls for *E. coli* O157:H7 than certificates of analysis (COAs) currently provide. Many small and very small establishments have indicated that they have difficulty receiving COAs either from the distributor or supplier establishment.

In addition, presentations will be given on the training used by FSIS concerning proper sampling procedures for *E. coli* O157:H7 and the training developed by industry on N60 sampling procedures. FSIS also anticipates that the meeting will help identify issues of concern about pathogens other than *E. coli* O157:H7, including *Listeria monocytogenes* and *Salmonella*.

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Done at Washington, DC on: October 7, 2008.

Alfred V. Almanza,
Administrator.

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DEPARTMENT OF AGRICULTURE

Forest Service

Conejos Peak Ranger District, Rio Grande National Forest; Colorado; Rio de los Pinos Vegetation Management Project

AGENCY: Forest Service, Rio Grande National Forest, USDA.

ACTION: Notice of intent to prepare an environmental impact statement.

SUMMARY: The project analyzes salvage harvesting of spruce beetle killed and infested trees on timber production areas in the Rio de los Pinos watershed.

This project will provide an opportunity to improve and relocate the Los Pinos Trailhead (Trail #736). This area was analyzed under the County Line Vegetation Management Project in June 2005, however changing forest conditions have warranted further analysis. An EA was initiated in 2007, and comments received during scoping and controversy surrounding similar projects on the Rio Grande National Forest indicate that an environmental impact statement (EIS) should be prepared.

DATES: Comments concerning the scope of the analysis must be received by 30 days from the date of this notice. The draft environmental impact statement is expected December 12, 2008 and the final environmental impact statement is expected February 2, 2009.

ADDRESSES: Send written comments to Mr. Jack Lewis, Team Leader, Rio Grande National Forest, Conejos Peak Ranger District, 15571 CR T.5, LaJara, CO 81140. Electronic mail (e-mail with subject, Rio de los Pinos comments) may be sent to comments-rocky-mountain.rio-grande-conejos-peak@fs.fed.us and a FAX may be sent to (719) 274-6301.

FOR FURTHER INFORMATION CONTACT: Same as above.

SUPPLEMENTARY INFORMATION:

Purpose and Need for Action

The purpose of this action is to implement the Rio Grande National Forest's Forest Plan by making live and dead timber available to the timber industry as part of the Rio Grande National Forest's timber sale program.

This proposal has been initiated because existing conditions vary from the Desired Conditions defined in Forest Plan MAP 5.13. This disparity indicates a need for improved forest stand conditions, reforestation of areas severely impacted by spruce beetle, reducing long-term fuel buildup in areas severely impacted by spruce beetle, salvage of dead trees before they lose their economic value, and provision of wood products to benefit the local and regional economy.

When seeking to reduce the standing dead fuel component, the goal is to reduce the duration and intensity of a potential wildland fire, thus influencing the severity of its impact. Standing dead fuel is expected to become heavy down fuel within 20-50 years.

Proposed Action

The Rio Grande National Forest proposes to salvage Engelmann spruce trees that have been killed by, or are infested with, spruce beetle.