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DEPARTMENT OF AGRICULTURE

Food Safety and Inspection Service

9 CFR Part 317

[Docket No. FSIS-2008-0017]

Descriptive Designation for Needle- or Blade-Tenderized
(Mechanically Tenderized) Beef Products

AGENCY: Food Safety and Inspection Service, USDA.

ACTION: Proposed Rule; reopening of comment period.

SUMMARY: The Food Safety and Inspection Service (FSIS) is reopening the comment period for its proposed rule on the descriptive designation of needle- or blade-tenderized (mechanically tenderized) beef products that appeared in the Federal Register on June 10, 2013. FSIS is reopening this comment period for 21 days because the extended comment period on this proposed rule closed during the recent partial Government shutdown.

DATES: The Agency must receive comments by [INSERT DATE 21 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: 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 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 Room Manager, 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 8-163B, Washington, DC 20250-3700.

Instructions: All items submitted by mail or electronic mail must include the Agency name and docket number FSIS-2008-0017. 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 8-164, Washington, DC 20250-3700 between 8:00 a.m. and 4:30 p.m., Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Rachel Edelstein, Assistant Administrator, Office of Policy and Program Development; Telephone: (202) 205-0495, or by Fax: (202) 720-2025.

SUPPLEMENTARY INFORMATION:

On June 10, 2013, FSIS published a notice of proposed rulemaking in the Federal Register, "Descriptive Designation for Needle- or blade-tenderized (Mechanically Tenderized) Beef Products" (78 FR 34589). The Agency proposed to require the use of the descriptive designation "mechanically tenderized" on the labels of raw or partially cooked needle- or blade-tenderized beef products, including beef products injected with marinade or solution, unless these products are to be fully cooked at an official establishment. The Agency proposed to require that the product name for the beef products include the descriptive designation "mechanically tenderized" and an accurate description of the beef component. The Agency also proposed to require that the print for all words in the product name appear in the same style, color, and size and on a single-color contrasting background.

In addition, FSIS proposed to require that the labels of raw and partially cooked needle- or blade-tenderized beef products destined for household consumers, hotels, restaurants, or similar institutions include validated cooking instructions.

FSIS also announced that it had posted on its Web site guidance for developing validated cooking instructions for mechanically tenderized product.

In response to requests from trade associations for additional time to provide comments, FSIS extended the original comment period until October 8, 2013 (78 FR 48631; Aug. 9, 2013). However, October 8, 2013, fell during the partial Government shutdown that occurred from October 1 to October 16. During this period, Agency personnel were unavailable to respond to public inquiries concerning the proposal, to file public comments in the administrative record for the rulemaking, or to upload comments to the regulations.gov Web page. Therefore, to provide the public with a full opportunity to comment on the proposed rule and associated guidance document, FSIS has decided to reopen the comment period until [INSERT DATE 21 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]. FSIS invites interested persons to submit their comments by that date.

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Additional Public Notification

FSIS will announce this notice online through the FSIS Web page located at <http://www.fsis.usda.gov/wps/portal/fsis/topics/regulations/federal-register>.

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/wps/portal/fsis/programs-and-services/email-subscription-service>. 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: November 26, 2013

Alfred V. Almanza,
Administrator.

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