

DEPARTMENT OF AGRICULTURE**Food and Safety and Inspection Service****9 CFR Chapter III**

[Docket No. 97-062N]

Retraction of an Announcement Concerning Nonfood Compounds and Proprietary Substances**AGENCY:** Food and Safety Inspection Service, USDA.**ACTION:** Policy statement.

SUMMARY: The Food Safety and Inspection Service (FSIS) is issuing a retraction of an announcement that was mailed to chemical manufacturers and other businesses and posted on the FSIS Internet site. This announcement incorrectly stated that FSIS is discontinuing its policy of approving all nonfood compounds and proprietary substances prior to their use in official meat and poultry establishments. Although FSIS did recently publish a proposal to revise its sanitation regulations, some of which govern the use of certain nonfood compounds, the Agency has not proposed to revise its policy of approving all nonfood compounds or proprietary substances prior to their use in official establishments.

FOR FURTHER INFORMATION CONTACT: Patricia F. Stolfa, Assistant Deputy Administrator, Regulations and

Inspection Methods, Food Safety and Inspection Service, U.S. Department of Agriculture (202) 205-0699.

SUPPLEMENTARY INFORMATION:**Background**

On September 11, 1997, the FSIS Compound and Packaging Review Branch mailed a notice to chemical manufacturers and other businesses announcing a change of address. Included with that notice was a facsimile of the first page of a proposed rule, incorrectly identified as FSIS Docket No. 96-037P, announcing that the Agency was discontinuing its policy of approving all nonfood compounds and proprietary substances prior to their use in official meat and poultry establishments. Around the same time, this facsimile also was posted on the FSIS Internet site. There is, in fact, no such proposed rule.

On August 25, 1997, FSIS published a proposal to convert to performance standards the sanitation requirements for meat and poultry establishments (FSIS Docket No. 96-037P; "Sanitation Requirements for Official Meat and Poultry Establishments"; 62 FR 45045). In this document, FSIS proposed to eliminate the regulations requiring that certain nonfood compounds, such as sanitizers and pesticides, be approved by the Agency prior to their use in official establishments. FSIS did not propose, however, to discontinue its policy of approving all other nonfood

compounds or proprietary substances prior to their use in official establishments.

FSIS is currently considering how to proceed in regard to its policy of preapproving nonfood compounds and proprietary substances. In general, prior approval requirements are inconsistent with the Agency's recently finalized HACCP requirements. FSIS will publish in the **Federal Register** a notice explaining any future revisions to its prior approval policy for nonfood compounds and proprietary substances.

FSIS is in the process of directly notifying each business that may have been mailed the inaccurate notice of proposed rulemaking in order to clarify the Agency's current policy in regard to nonfood compounds and proprietary substances. FSIS is publishing this retraction to clarify its policy for other businesses and individuals. Also, in order to address any confusion regarding the published sanitation proposal, FSIS is reopening the comment period for that proposal elsewhere in this issue of the **Federal Register** (FSIS Docket No. 96-037R, "Sanitation Requirements for Official Meat and Poultry Establishments; Comment Period Reopening").

Done in Washington, DC: October 22, 1997.

Thomas J. Billy,

Administrator, Food Safety Inspection Service.

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