

would require many manufacturers to revise their labeling and submit such labeling to FSIS for approval. The paperwork requirements contained in this proposed rule have been submitted to the Office of Management and Budget for approval under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*). Comments on the paperwork burden of this proposed rule should be sent to: Office of Management and Budget, Desk Officer for FSIS, Office of Information and Regulatory Affairs, Room 3208, New Executive Office Building, Washington, DC 20503, and to the Clearance Office, Room 404-W, Administration Building, Washington, DC 20250.

Comments

Interested persons are invited to submit written comments concerning this proposal. Submit comments in triplicate to Diane Moore, FSIS Docket Clerk, Room 3171, South Building, Food Safety and Inspection Service, U.S. Department of Agriculture, Washington, DC 20250. Any person desiring an opportunity for an oral presentation of views should make such request to Mr. Charles R. Edwards so that arrangements can be made for such views to be presented. A record will be made of all views orally presented. All comments submitted in response to this proposal will be available for public

inspection in the Policy, Evaluation and Planning Office from 8:30 a.m. to 1:00 p.m., and from 2:00 p.m. to 4:30 p.m., Monday through Friday.

List of Subjects in 9 CFR Part 381

Food labeling, Poultry and poultry products.

Proposed Rule

For the reasons set forth in the preamble, FSIS is proposing to amend 9 CFR part 381 as follows:

PART 381—POULTRY PRODUCTS INSPECTION REGULATIONS

1. The authority citation for part 381 would continue to read as follows:

Authority: 7 U.S.C. 138f; 7 U.S.C. 450; 21 U.S.C. 451–470; 7 CFR 2.17, 2.55.

2. Section 381.66 would be amended by adding a sentence at the end of paragraph (f)(2) to read as follows:

§ 381.66 Temperatures and chilling and freezing procedures.

* * * * *

(f) * * *

(2) * * * Such procedures shall not apply to raw poultry product described in § 381.129(b)(6)(i) of this subchapter.

§ 381.129 [Amended]

3. Section 381.129 would be amended by adding a new paragraph (b)(6) to read as follows:

* * * * *

(b) * * *

(6)(i) Raw poultry product whose internal temperature has ever been below 26° F, but above 0° F, may not bear a label declaration of “fresh” and must be labeled with the descriptive term “previously frozen.” Product as described in this paragraph is not subject to the freezing procedures required in § 381.66(f)(2) of this subchapter.

(ii) Raw poultry product whose internal temperature has ever been at or below 0° F may not bear a label declaration of “fresh” and must be labeled with either the descriptive term “frozen” or “previously frozen,” except when such labeling duplicates or conflicts with the labeling requirements in § 381.125. Product as described in this paragraph is subject to the freezing procedures required in § 381.66(f)(2) of this subchapter.

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Done at Washington, DC, on: January 10, 1995.

Michael R. Taylor,

Acting Under Secretary for Food Safety.

[FR Doc. 95–1001 Filed 1–11–95; 8:45 am]

BILLING CODE 3410–DM–P