

productively focus on food safety objectives was a key component of the top-to-bottom review, and continues to engage the Agency.

The inspection regulations have accumulated over many years. The meat inspection regulations (9 CFR subchapter A), the poultry inspection regulations (9 CFR subchapter C), and the egg product inspection regulations, under FSIS jurisdiction since June 1995 (7 CFR part 59), were developed independently of one another; all began separately as programs administered by different agencies. These distinct sets of regulations have retained their separate identities in the Code of Federal Regulations, despite the fact that they are now administered by the same agency and a large proportion of the regulations are virtually identical. Because of this structure, when a change is made to one of these inspection programs, the same or a similar change must usually be made to the others.

Many of the provisions in the meat and poultry (and now egg products) regulations should be, but are not, identical. The differences in the provisions addressing similar topics are largely historical artifacts which should be eliminated. These differences frequently cause confusion, making the administration of inspection more difficult and resource-intensive than it ought to be. For example, a time limit for appealing inspection decisions exists under the poultry regulations but not under the meat regulations (9 CFR 306.5; 381.35). Similarly, there is a 180°F temperature requirement for water used to clean and disinfect meat slaughterhouses (9 CFR 308.3(d)(4), 308.8) but not poultry establishments (9 CFR 381.50(b), 381.58(a)).

Although there are necessary differences in how products of the different industries are regulated, there are many differences for which there is no clear necessity. In some cases, it is argued, these differences are not only unjustified, but they are unfair in favoring one industry at the expense of the other.

In 1992, FSIS contracted with the Research Triangle Institute (RTI) to conduct a review and comparison of the Agency's meat and poultry regulations. The report, delivered to the Agency in June 1993, found 12 areas with substantive differences in the regulations that might be "potentially significant in terms of relative costs of administering the two regulatory programs."

A review of that report suggests at least three areas of regulation where this may currently be the case: slaughter inspection controls (only poultry has

detailed finished product standards, which permit faster line speeds and other plant efficiencies), removal of contamination (poultry can be reprocessed by washing, but meat must be trimmed), and exemptions from inspection (there are more categories of exempted poultry establishments than there are exempted meat establishments, and the poultry regulations are more definitive in describing products not subject to inspection). Significant differences in a fourth area, "mechanically separated product," were resolved in a final rule published in the Federal Register on November 3, 1995 (60 FR 55962).

FSIS will carefully scrutinize all meat, poultry, and egg inspection regulations with a view to merging and restructuring the regulations and to unifying most of the provisions that are common to them. As each regulatory area is reviewed, FSIS will carefully consider the validity of any differences in how the industries are regulated and will keep separate only those provisions that must remain separate. The merging and restructuring would simplify the regulations; enhance administrative efficiency; and remove unnecessary, often confusing, and sometimes burdensome, differences in the regulatory treatment of FSIS-inspected establishments and their products.

During the next few years, the Agency will review and restructure all of its regulations to make them easier to use. This reflects the Agency's position that its regulations could be more clearly understood if better organized and written in "plain English."

In conjunction with the comprehensive regulatory review now in progress, FSIS is undertaking a review of its manuals, bulletins, directives, notices, and instructions to its employees on how to implement specific regulations. FSIS will address longstanding concerns that, as the inspection program has evolved, procedural changes have been introduced without systematic consideration of whether the new procedures overlap or are inconsistent with other procedures. The result has been the creation of redundant or conflicting procedures on top of one another, causing confusion and the potential for nonuniform application of inspection requirements from place to place. Further, FSIS questions whether the many kinds of issuances continue to be useful, and requests comment on how the Agency can best communicate instructions for implementing regulations.

III. Initial Review of Regulations; Consistency With HACCP

As discussed in conjunction with the FSIS regulatory proposal of February 3, 1995 (60 FR 6774), FSIS does not intend simply to add the new HACCP system to the current system of inspection and regulation. FSIS intends to integrate HACCP into a modernized system of inspection and regulation that will harness the power of prevention and performance standards to improve food safety and make better use of the Agency's resources. To accomplish this, FSIS must review all of its existing regulatory requirements and procedures and modify, streamline, or eliminate them, as appropriate, to be compatible with the new food safety strategy. FSIS has already targeted a number of its regulations for elimination or reform and is seeking in this document public input as a first step in the rulemaking required to achieve the needed changes.

Earlier this year, partly to identify rule changes needed for HACCP-based inspection and partly to meet requirements of the President's Reinventing Government Initiative, FSIS conducted an initial page-by-page review of existing regulations. The Agency identified for possible revision or elimination more than 400 pages of regulations. Almost three-quarters of the regulations administered by FSIS were projected to be eliminated or changed to make them simpler, less burdensome, or more performance-based.

As part of its overall food safety initiative, the Agency is committed to moving beyond that initial review to making specific proposals for the near term and to comprehensive regulatory reform to be completed during the next few years.

Reporting and Recordkeeping

Further, in line with the Administration's policy to reduce reporting requirements in Government programs, FSIS invites comment on its paperwork or recordkeeping requirements. The Agency seeks specific recommendations for eliminating, simplifying, or otherwise changing information collection requirements. FSIS also seeks recommendations for improving or eliminating currently required forms (FSIS Form 7234-1, the form accompanying label submissions, for example, or FSIS Form 8820-2, the form meat and poultry establishment personnel complete if inspectors find deficiencies in processing operations).

Questions of particular concern include the following:

- Despite efforts to prevent this, has FSIS issued duplicative or redundant