(3) Solicit, accept, or receive uncompensated volunteer services as, or on behalf of, an independent candidate for partisan political office in elections for office in the municipality or subdivision; and

(4) Take an active part in other political activities associated with elections for local partisan political office and in managing the campaigns of candidates for election to local partisan political office in the municipality or political subdivision, but only as an independent candidate or on behalf of, or in opposition to, an independent candidate.

§ 733.106 Prohibited political activities—employees who reside designated localities and are employed in certain agencies and positions.

(a) This section does not apply to individuals who have been appointed by the President, by and with the advice and consent of the Senate, even though they are employed in the agencies and positions described in § 733.105(a).

(b) Employees who are employed in the agencies and positions described in § 733.105(a), and who reside in a municipality or political subdivision designated by OPM under § 733.107, may not:

(1) Run as the representative of a political party for local partisan political office;

(2) Solicit, accept, or receive a political contribution on behalf of an individual who is a candidate for local partisan political office and who represents a political party;

(3) Knowingly solicit a political contribution from any Federal employee;

(4) Accept or receive a political contribution from a subordinate;

(5) Solicit, accept, or receive uncompensated volunteer services on behalf of an individual who is a candidate for local partisan political office and who represents a political party;

(6) Solicit, accept, or receive uncompensated volunteer services from a subordinate for any political purpose; or

(7) Take an active part in other political activities associated with elections for local partisan political office, when such participation occurs on behalf of a political party, partisan political group, or a candidate for local partisan political office who represents a political party.

(c) An employee covered under this section may not participate in political activities:

(1) While he or she is on duty:

(2) While he or she is wearing a uniform, badge, or insignia that identifies the employing agency or instrumentality or the position of the employee;

(3) While he or she is in any room or building occupied in the discharge of official duties by an individual employed or holding office in the Government of the United States or any agency or instrumentality thereof; or

(4) While using a Government-owned or leased vehicle or while using a privately owned vehicle in the discharge of official duties.

(d) Candidacy for, and service in, or partisan political office shall not result in neglect of, or interference with, the performance of the duties of the employee or create a conflict, or apparent conflict, of interest.

§ 733.107 Designated localities.

(a) OPM may designate a municipality or political subdivision in Maryland or Virginia and in the immediate vicinity of the District of Columbia, or a municipality in which the majority of voters are employed by the Government of the United States, when OPM determines that, because of special or unusual circumstances, it is in the domestic interest of employees to participate in local elections.

(b) Information as to the documentation required to support a request for designation is furnished by the General Counsel of OPM on request.

(c) The following municipalities and political subdivisions have been designated, effective on the day specified:

In Maryland

Annapolis (May 16, 1941).
Anne Arundel County (March 14, 1973).
Berwyn Heights (June 15, 1944).
Bethesda (Feb. 17, 1943).
Bladensburg (April 20, 1942).
Bowie (April 11, 1952).
Brentwood (Sept. 26, 1940).
Calvert County (June 18, 1992).
Capitol Heights (Nov. 12, 1940).
Cheverly (Dec. 18, 1940).
Chevy Chase, section 3 (Oct. 8, 1940).
Chevy Chase, section 4 (Oct. 2, 1940).
Chevy Chase View (Feb. 26, 1941).
Chevy Chase Village, Town of (March 4, 1941).
College Park (June 13, 1945).
Cottage City (Jan. 15, 1941).
District Heights (Nov. 2, 1940).
Edmonston (Oct. 24, 1940).
Fairmont Heights (Oct. 24, 1940).
Forest Heights (April 22, 1949).
Frederick County (May 31, 1991).
Garrett Park (Oct. 2, 1940).
Glenarden (May 21, 1941).
Glen Echo (Oct. 22, 1940).
Greenbelt (Oct. 4, 1940).
Howard County (April 25, 1974).
Hyattsville (Sept. 20, 1940).
Kensington (Nov. 8, 1940).
Landover Hills (May 5, 1945).
Martin's Additions, Village of (Feb. 13, 1941).
Montgomery County (April 30, 1964).
Morningside (May 19, 1949).
Mount Rainier (Nov. 22, 1940).
New Carrollton (July 7, 1981).
North Beach (Sept. 20, 1940).
North Brentwood (May 6, 1941).
North Chevy Chase (July 22, 1942).
Northwest Park (Feb. 17, 1943).
Prince George's County (June 19, 1962).
Riverdale (Sept. 26, 1940).
Rockville (April 15, 1948).
St. Mary's County (March 2, 1998).
Seat Pleasant (Aug. 31, 1942).
Somerset (Nov. 22, 1940).
Takoma Park (Oct. 22, 1940).
University Park (Jan. 18, 1941).
Washington Grove (April 5, 1941).

In Virginia

Alexandria (April 15, 1941).
Arlington County (Sept. 9, 1940).
Clifton (July 14, 1941).
Fairfax, City of (Feb. 9, 1954).
Fairfax County (Nov. 10, 1949).
Falls Church (June 6, 1941).
Herndon (April 7, 1945).
Loudoun County (Oct. 1, 1971).
Manassas (Jan. 8, 1980).
Manassas Park (March 4, 1980).
Portsmouth (Feb. 27, 1958).
Prince William County (Feb. 14, 1967).
Spotsylvania County (March 2, 1998).
Stafford County (Nov. 2, 1979).
Vienna (March 18, 1946).

Other Municipalities

Anchorage, Alaska (Dec. 29, 1947).
Benicia, Calif. (Feb. 20, 1948).
Bremerton, Wash. (Feb. 27, 1946).
Centerville, Ga. (Sept. 16, 1971).
Crane, Ind. (Aug. 3, 1967).
Elmer City, Wash. (Oct. 28, 1947).
Huachuca City, Ariz. (April 9, 1959).
New Johnsonville, Tenn. (April 26, 1956).
Norris, Tenn. (May 6, 1959).
Port Orchard, Wash. (Feb. 27, 1946).
Sierra Vista, Ariz. (Oct. 5, 1955).
Warner Robins, Ga. (March 19, 1948).

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DEPARTMENT OF AGRICULTURE

Food Safety and Inspection Service

9 CFR Part 417

[Docket No. 97–082N]

Contents of HACCP Plans; Critical Control Points

AGENCY: Food Safety and Inspection Service, USDA.

ACTION: Compliance with the HACCP system regulations.

SUMMARY: The Food Safety and Inspection Service (FSIS) is publishing this document to ensure that the owners and operators of federally inspected establishments are aware that the identification of appropriate critical

control points is crucial to complying with the Agency's regulations on hazard analysis and critical control point (HACCP) systems. The HACCP system regulations require that a HACCP plan list critical control points for each food safety hazard identified as reasonably likely to occur in the production process. The number of critical control points will depend upon the production process and the hazard, but a HACCP plan must specify as critical control points the points, steps, or procedures at which control can be applied and, as measured by critical limits, occurrence of the hazard can be prevented, eliminated, or reduced to an acceptable level, and at a minimum, the critical limits must be designed to ensure that applicable targets or performance standards established by FSIS, and any other requirement in the Agency's regulations pertaining to the specific process or product, are met. These requirements implement FSIS's judgment that whenever a food safety hazard is reasonably likely to occur in the production process, by applying control measures, the establishment can at least reduce the hazard to an acceptable level, even if it cannot entirely prevent or eliminate its occurrence.

FOR FURTHER INFORMATION CONTACT: Patricia F. Stolfa, Assistant Deputy Administrator, Regulations and Inspection Methods, Food Safety and Inspection Service, Washington, DC 20250–3700; (202) 205–0699.

SUPPLEMENTARY INFORMATION: The Food Safety and Inspection Service (FSIS) administers a regulatory program under the Federal Meat Inspection Act (FMIA) (21 U.S.C. 601 *et seq.*) and the Poultry Products Inspection Act (PPIA) (21 U.S.C. 451 *et seq.*) to protect the health and welfare of consumers by preventing the distribution of livestock products and poultry products that are unwholesome, adulterated, or misbranded. To further the goal of reducing the risk of foodborne illness from meat and poultry products to the maximum extent possible, FSIS issued the Pathogen Reduction-Hazard Analysis and Critical Control Point (HACCP) Systems final rule (61 FR 38806, July 25, 1996).

The HACCP system regulations, part 417,[1] require that every federally inspected establishment conduct, or have conducted for it, a hazard analysis to determine the food safety hazards reasonably likely to occur in the production process and identify the preventive measures the establishment can apply to control those hazards (§ 417.2(a)). Whenever a hazard analysis reveals one or more food safety hazards that are reasonably likely to occur, the establishment must develop and implement a HACCP plan, or plans, to control those hazards (§ 417.2(b)). Although it is possible that a hazard analysis conducted in accordance with the regulations will reveal no food safety hazard that is reasonably likely to occur, as the Agency stated when it issued the regulations, FSIS is not aware of any meat or poultry production process that can be deemed, categorically, to pose no likely hazards (61 FR 38824).[2]

For purposes of part 417, a critical control point (CCP) is a point, step, or procedure in a food process at which control can be applied and, as a result, a food safety hazard can be prevented, eliminated, or reduced to acceptable levels (§ 417.1).) Every HACCP plan must ''list the critical control points for each of the identified food safety hazards, including, as appropriate:''

(i) Critical control points designed to control food safety hazards that could be introduced in the establishment, and

(ii) Critical control points designed to control food safety hazards introduced outside the establishment, including food safety hazards that occur before, during, and after entry into the establishment * * *

(§ 417.2(c)(2)). The plan also must comply with the related requirements to specify the critical limits (maximum and minimum values) to be met at CCP's, the corrective actions to be followed in response to deviations from critical limits at CCP's, and the monitoring and verification procedures to ensure appropriate corrective actions if and when those deviations occur (§§ 417.1, 417.2(c), 417.3(a), and 417.4(a)). At a minimum, critical limits must be designed to ensure that applicable targets or performance standards established by FSIS, and any other requirement in FSIS's regulations (9 CFR chapter III) pertaining to the specific process or product, are met (§ 417.2(c)(3)).

It has come to FSIS's attention that in developing HACCP plans, some persons are viewing CCP's so narrowly that they risk noncompliance with regulatory requirements. FSIS is concerned that some establishments may be relying solely on HACCP concepts and theory, without evaluating CCP's in accordance with regulatory requirements. The Agency is publishing this notice to ensure that the owners and operators of federally inspected establishments are aware that the identification of appropriate critical control points is crucial.

The number of critical control points will depend upon the production process and the hazard. FSIS will treat failure to specify at least one CCP for each food safety hazard identified in accordance with the regulations as reasonably likely to occur as a failure to develop and implement a HACCP plan that complies with § 417.2 (§ 417.2(e)). The only exception, as specified in § 417.2(b)(3), is for food safety hazards associated with microbiological contamination: HACCP plans that cover thermally processed/commercially sterile products produced in accordance with the current canning regulations (part 318, subpart G, or part 381, subpart X) need not, at this time, address microbial hazards.[3]

FSIS anticipates that to operate in accordance with part 417, many establishments will find that for each identified hazard, they need more than one CCP, particularly if they are producing raw products. The Agency believes that depending upon a single CCP increases establishment exposure to production-disrupting corrective actions that affect large amounts of product. While FSIS is not prepared to say that compliance cannot be achieved with a single CCP when, for example, a product is treated sufficiently to be shelf stable, even though it is not commercially sterile, the Agency is concerned that establishments may be viewing CCP's too restrictively to ensure compliance with the regulations.

The part 417 requirements addressed in this notice implement the Agency's conclusion that whenever a food safety hazard is reasonably likely to occur in the production process, even if an establishment cannot entirely prevent or eliminate occurrence of the hazard, by applying control measures, the establishment can at least reduce it to an acceptable level. Part 417 requires all federally inspected establishments to take the prudent, preventive approach and develop systematic measures for controlling such hazards.

[1] Part 417 requirements will apply as of January 26, 1998, in establishments with 500 or more employees; January 25, 1999, in establishments with 10 or more but fewer than 500 employees (unless the establishment has annual sales of less than $2.5 million); and January 25, 2000, in establishments with fewer than 10 employees or annual sales of less than $2.5 million.

[2] Food safety hazards include any biological, chemical, or physical property that may cause a food to be unsafe for human consumption (§ 417.1).

[3] FSIS intends to convert the canning regulations to performance standards, which are more consistent with HACCP (61 FR 38824).

Done at Washington, DC, on: January 26, 1998.

Thomas J. Billy,

Administrator.

[FR Doc. 98–2297 Filed 1–29–98; 8:45 am]

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DEPARTMENT OF AGRICULTURE

Food Safety and Inspection Service

9 CFR Part 417

[Docket No. 97–074N]

Contents of HACCP Plans

AGENCY: Food Safety and Inspection Service, USDA.

ACTION: Compliance with the HACCP system regulations.

SUMMARY: The Food Safety and Inspection Service is publishing this document to ensure that the owners and operators of federally inspected establishments are aware that its hazard analysis and critical control point (HACCP) system regulations require that an HACCP plan be a self-contained document. In particular, the Agency does not view references to good manufacturing practices, or establishment actions in accordance with good manufacturing practices, as satisfying the requirements for the contents of an HACCP plan. Among other things, an HACCP plan must list the critical control points for each food safety hazard reasonably likely to occur in the production process, the critical limits that must be met at each of the critical control points, and the procedures, and frequency with which they will be performed, that will be used to monitor each critical control point to ensure compliance with critical limits and to verify that the plan is being effectively implemented. An HACCP plan also must identify the corrective actions to be followed in response to deviations from critical limits at critical control points.

FOR FURTHER INFORMATION CONTACT: Patricia F. Stolfa, Assistant Deputy Administrator, Regulations and Inspection Methods, Food Safety and Inspection Service, Washington, DC 20250–3700; (202) 205–0699.

SUPPLEMENTARY INFORMATION: The Food Safety and Inspection Service (FSIS) administers a regulatory program under the Federal Meat Inspection Act (FMIA) (21 U.S.C. 601 *et seq.*) and the Poultry Products Inspection Act (PPIA) (21 U.S.C. 451 *et seq.*) to protect the health and welfare of consumers by preventing the distribution of livestock products and poultry products that are unwholesome, adulterated, or misbranded. To further the goal of reducing the risk of foodborne illness from meat and poultry products to the maximum extent possible, FSIS issued the Pathogen Reduction-Hazard Analysis and Critical Control Point (HACCP) Systems final rule (61 FR 38806, July 25, 1996). As amended by that rule, FSIS's regulations require federally inspected establishments to take preventive and corrective measures at each stage of the food production process where food safety hazards occur.

The regulations on HACCP systems, part 417,* require a hazard analysis to determine the food safety hazards reasonably likely to occur in the production process and identify the preventive measures an establishment can apply to control them (§ 417.2(a)(1)) and, whenever this analysis reveals one or more such hazards, development and implementation of a written HACCP plan (§ 417.2(b)(1)). In § 417.2(c), the regulations specify minimum requirements for the contents of each HACCP plan, including requirements to list the food safety hazards for each process; list the critical control points for each of the identified hazards; list the critical limits that must be met at each of the critical control points; list the procedures, and frequency with which they will be performed, that will be used to monitor each of the critical control points to ensure compliance with the critical limits; and list the verification procedures, and the frequency with which they will be performed, that the establishment will use in accordance with § 417.4 (*i.e.*, to verify that the plan is being effectively implemented) (paragraphs (c)(1), (c)(2), (c)(3), (c)(4), and (c)(7) of § 417.2). In addition, a HACCP plan must include all corrective actions that have been developed in accordance with § 417.3(a), which requires the identification of the corrective action to be followed in response to a deviation from a critical limit (§ 417.2(c)(5)).

Given the explicit requirements to list critical control points, critical limits, and monitoring and verification procedures and to develop and identify corrective actions, and the Agency's statement, in issuing part 417, that it was clarifying requirements for the identification of critical control points within a HACCP plan (61 FR 38825), FSIS is concerned that some industry members and consultants to industry think that they can comply with § 417.2(c) by referring to good manufacturing practices, or establishment actions in accordance with good manufacturing practices. While FSIS has considered good manufacturing practices in developing some requirements that protect the public against livestock products and poultry products that are misbranded or economically adulterated (21 U.S.C. 453 and 601), the Agency has not adopted specific good manufacturing practices as part of its regulations.

The Agency is publishing this notice to ensure that the owners and operators of federally inspected establishments are aware that references to good manufacturing practices, or establishment actions in accordance with good manufacturing practices, rather than stating the critical control points, critical limits, monitoring and verification procedures, and corrective actions themselves is insufficient to satisfy the requirements of § 417.5(c). Part 417 requires that a HACCP plan be a self-contained document.

Moreover, the function of critical control points and critical limits is to prevent, eliminate, or reduce to an acceptable level one or more food safety hazards. By definition, critical limits are maximum and minimum values (§ 417.1), and by regulation, critical limits must be designed, at a minimum, to ensure that applicable targets or performance standards established by FSIS, and any other requirement in FSIS's regulations (9 CFR chapter III) pertaining to the specific process or product, are met (§ 417.2(c)(3)). To determine whether critical limits are met and, if not, prevent the distribution of adulterated food and future deviations, the regulations require plan-specific monitoring, verification, and corrective action procedures.

Done at Washington, DC, on: January 26, 1998.

Thomas J. Billy,

Administrator.

[FR Doc. 98–2296 Filed 1–29–98; 8:45 am]

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* Part 417 requirements will apply as of January 26, 1998, in establishments with 500 or more employees; January 25, 1999, in establishments with 10 or more but fewer than 500 employees (unless the establishment has annual sales of less than $2.5 million); and January 25, 2000, in establishments with fewer than 10 employees or annual sales of less than $2.5 million.