



United States Department of Agriculture

Food Safety and
Inspection Service

1400 Independence
Avenue, SW,
Washington, D.C.
20250

SEP 18 2019

Robert G. Hibbert
Partner
Morgan, Lewis &. Bockius LLP
1111 Pennsylvania Avenue, NW
Washington, DC 20004

Dear Mr. Hibbert:

The Food Safety and Inspection Service (FSIS) has reviewed your petition dated July 22, 2019, requesting that FSIS amend the regulations at 9 CFR 412.2 to allow for the generic approval of labels for bison products, inspected under the Agricultural Marketing Act of 1946 (7 U.S.C. 1621 et seq.), on the same basis as labels of products made from species amenable to the Federal Meat Inspection Act (21 U.S.C. 601 et seq.) and the Poultry Products Inspection Act (21 U.S.C. 451 et seq.). You also requested that FSIS implement this change via a direct final rule.

FSIS is currently preparing a proposed rule to expand its generic label approval program. We intend to propose your requested change as part of that rulemaking. The proposed rule already is listed in the Spring 2019 Unified Agenda of Regulatory and Deregulatory Actions, with a tentative publication date of October 2019.¹

To avoid confusion with the planned rulemaking and to ensure appropriate stakeholder feedback regarding your requested change in the context of the other proposed changes to the generic label approval program, FSIS believes that incorporating your requested change into the proposed rule represents the most appropriate and efficient use of Agency resources. For these reasons, we decline to develop a separate, direct final rule to permit generic approval of labels for bison products.

If you have additional questions, you may contact Mary Porretta, Petitions Manager, Issuances Staff, at (202) 720-5627 regarding the status of your petition.

Sincerely,

Matthew Michael
Director
Issuances Staff
Office of Policy and Program Development

¹ Available at: <https://www.reginfo.gov/public/do/eAgendaMain>.